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THE

BALIOLS

OF

BYWELL AND BARNARD CASTLE.

BY

WILLIAM GREENWELL, D.C.L., F.R.S., F.S.A.

REPRINTED FROM THE SIXTH VOLUME OF THE HISTORY
OF NORTHUMBERLAND, 1902.

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The earliest notice of Bywell occurs in Simeon's *History of the Church of Durham*, where it is mentioned under the spelling Biguell.[1] That Bywell was the place in question cannot be doubted, for there is no site in that part of ancient Northumberland adjacent to the diocese of Lindisfarne which has a name at all similar to that used by the historian of the church of Durham. In one of its churches a portion of a building anterior to the Conquest is still preserved, showing that there was an ecclesiastical establishment there before the time when, due to the new order which came in with the feudal system, the creation of parishes in their mediaeval form was instituted in England. The incident, one of more than common interest, which Simeon records in connection with the place, is that on Trinity Sunday (iii. Idus Junii), June 11th, 803, Ecgberht was there consecrated twelfth bishop of Lindisfarne.

It may be assumed as almost certain that during the time of Anglian independence there were two great estates, as there were probably two churches in that part of the county which constitutes the parishes of Bywell St. Peter and Bywell St. Andrew. With regard to the church of the first of these parishes, the evidence is only presumptive, but the church of St. Andrew bears witness in the tower and in a portion of a sepulchral memorial cross, now built into the wall of the tower, that it was in existence in Anglian times.

The two great estates, which were, with the exception of Stocksfield, the same in area as the two parishes, each possibly having its own church, became, after William the Norman had subdued England, two baronies.[2]

[1] Simeon, *Hist. Eccl. Dunelm.* lib. ii. cap. v. ed. Bedford, p. 89. Ed. Arnold, Rolls Series, vol. i. p. 52.

[2] The extent of the baronies was not confined to the two parishes, each of them contained important outlying members. The barony of Baliol comprised a moiety of the vill of Bywell and the vills or townships of Acomb, Apperley, Espershields, Fotherley, Healey, Newton, Newton-hall, Newlands, Ridley, Stelling and Whittonstall in St. Peter's parish, the vill of Stocksfield in St. Andrew's parish, Eltringham, Ovington, and Mickley in the adjacent parish of Ovingham, and many other large estates elsewhere. *Testa de Nevill*, Record Series, p. 385.

Each was granted by an English king to a great lord, who represented, in the land beyond the Channel, a stock of which the king himself was a member. The two estates thus became, taking their names from their owners, the important fees of Bolbec and Baliol.

An early tradition has recorded that among the adventurers who took part with Duke William of Normandy in the invasion of England, and who were to be ultimately rewarded with the spoils of conquest, was Guy (Guido or Wydo) de Baliol. The stock from which he sprang was an enterprising, adventurous, and far-reaching one, inheriting from a northern ancestry the spirit of dare-devildom, conquest, and plunder, which drove the Viking over the sea, and begat a temper of courage and endurance which has leavened more than one land that they subjugated. We read of an Ursel de Baliol as one of the invaders and conquerors of Sicily under the great Norman, Robert Guiscard. The same Ursel was leader of a band of mercenaries in the pay of the emperor Romanus Diogenes, and took part in the battle in Armenia in 1071, when the emperor was defeated and taken prisoner by Alp Arslan the leader of the Turkmans.[1]

The first person whose name is recorded in connection with that part of France in which the various families of Baliol had their origin[2] is a Gauffrid de Bailliol. He occurs as a witness to the foundation charter of the abbey of Tréport, by Robert, count of Eu, in 1059.[3] There is nothing whatever to show that he was a member of the family which originated at Bailleul-en-Vimeu or of that of Bailleul-en-Gouffern, both of which sent representatives to England. It appears probable that, as he was a witness to an important deed of Robert, count of Eu, he belonged to a stock of Baliol feudally connected in France and England with the counts of Eu, members of which in Norman times held land in Sussex, where, as Domesday records, the count of Eu had large possessions.[4]

[1] Gibbon, chap. lvii. ed. Smith, vol. vii. p. 160, quoting Jeffrey Malatesta, l. ii. 33.

[2] According to the *Dictionnaire des Postes*, there are thirteen places of the name of Bailleul in northern France. M. de Belleval, author of an account of John Baliol, king of Scotland, says (p. 5) there have been nineteen different families of the name, all of which, except one in Normandy, are extinct.

[3] *Cal. of Doc. in France*, ed. J. H. Round, Rolls Series, vol. i. p. 80.

[4] In a charter of King Stephen confirming gifts which his barons and others, his subjects, French and English, had made to the monastery of St. Pancras at Lewes, there is mention of a grant of tithe in Sussex by Geoffrey de Baliol, 'juxta Haslo decimam Gaufridi de Ballolio de Bifleam.' *Cal. of Doc. in France*, Round, vol. i. p. 511. Mr. Round, in 'Some early grants to Lewes Priory,' *Sussex Arch. Coll.* vol. xl. p. 69, identifies Bifleam (in another deed Biueltham) with Bibleham in the parish of Mayfield. Geoffrey's grant was confirmed by John, count of Eu, who succeeded *c.* 1139. It is described as

Rainald de Bailgiole, who occurs in Domesday as the owner of land in three counties, appearing there under that name, as well as under that of Rainald vicecomes, which he was of Shropshire, belonged to a quite distinct family from that of the lords of Bywell and Gainford. He was the owner of Bailleul-en-Gouffern, a place in the department of Orne, not far distant from Oximae, the *caput* of the vicomté of the Oximin, a fief of Earl Roger de Montgomery, whose niece, Amieria,[1] the widow of Warin, the first Norman sheriff of Shropshire, he had married.[2]

Guy de Baliol, the founder of the great English baronial house, came from Picardy and belonged to a family which had its origin and name from Bailleul-en-Vimeu, in the canton of Hallencourt, in the arrondissement of Abbeville in the department of the Somme. The family was one of the most powerful in Ponthieu and was possessed of other large estates there in addition to Bailleul, all of which remained in their hands, after their English lands had been lost by the forfeiture of John, king of Scotland, until the time of Edward Baliol, the last male descendant of the main line.

There is no evidence worthy of credit to show what was the parentage of Guy de Baliol. In an English pedigree[3] to the early part of which no reference to documentary proof is attached, it is stated that he was the son of Wimund de Balliol, and that he had two brothers, Bernard and Joscelin, and a sister Hawis. A French pedigree[4] makes him the son of Guy de Bailleul, with two brothers, Hugh and Joscelin, and a sister Hawis. The two pedigrees do not differ very materially, and may both have originated

'decimam de dominio de Biueltham in omnibus rebus, quam donavit eis Gaufr' de Bailloil, et postea successores sui, et xxx acras terrae in Bixla cum mansura in eadem villa.' *Cotton MSS.* British Museum, Vesp. 'F' 15, fol. 81. He may have been the same Geoffrey who was a witness to the foundation charter of Tréport, and also as Geoffrey de Baillol who, with his heir Gilbert, occurs in a charter of confirmation by Henry II. as having made gifts of tithe of money rents in Normandy and England and tithe of essarts, sheeps' wool, cheese and bacon, from England to the church of St. Mary at Eu. *Cal. of Doc. in France*, vol. i. p. 525. It may be inferred that Osbert de Balliol, who gave tithe in Biueltham and a house in Bixla, 'quae fuit canabaria patris mei,' and thirty acres of land near the sea in the same vill to Lewes Priory, was a relation and possibly a descendant of Geoffrey. *Cotton MSS.* Vesp. 'F' 15, fol. 80 v. It is also probable that Radulph de Ballolo who occurs in a confirmation charter of Henry, count of Eu, of the time of Henry II. as a grantor of a garden at Besham to the prebend of William fitz Allec in the church of St. Mary of Hastings, was a member of the same family of Baliol, feudatories of the counts of Eu. Record Office, *Ancient Deeds*, 'D' 1073.

[1] She is called Amilia in a charter of her husband Rainald and herself, confirming the churches of Wolfston and Church Lawford, in Warwickshire, to the abbey of St. Pierre-en-Dives. *Cal. of Doc. in France*, vol. i. p. 202.

[2] A full account of him, with the evidences in proof of his identity, will be found in Eyton. *Antiquities of Shropshire*, vol. vii. p. 206, *seq.*

[3] *Dodsworth MSS.* Bodleian Library, vol. iv. p. 10.

[4] *Jean de Bailleul, roi d'Écosse et sire de Bailleul-en-Vimeu*, par René de Belleval. Paris, 1866, p. 46.

from the same source, which possibly had an element of truth in it; they, at the same time, have enough of difference to show that neither of them was merely a copy of the other. The Wimund of the one pedigree may be, though the names are distinct, the Wido of the other, and both may possibly represent the same person. All the five are names frequent among those of the family of Bailleul of Picardy and England, and the children in each case only differ in Hugh of the one being represented by Bernard in the other. It is quite possible, though it does not seem to be capable of proof, that Guy, who had a grant of the English lordships from William Rufus, was a son of a Guy (Wimund or Wido), who was lord of Bailleul-en-Vimeu, and that he had an elder brother, Hugh, who succeeded to and remained upon the ancestral land in Picardy, when the younger brother, Guy, sought his fortune among the host of Normans, Picards, Bretons, and others who followed in the wake of Duke William when he conquered England.[1] If this be so, Bernard, the nephew and successor of Guy, lord of Bywell and Gainford, must have been the son of Hugh, the lord of Bailleul-en-Vimeu. He was, undoubtedly, the person in whom the Picardy and English lordships became united. It appears, from two charters recording grants to the abbey of Sery, which may be dated approximately in 1130 and 1138, that a Hugh de Bailleul had two sons, Bernard and Eustace.[2] To the earlier of these charters Hugh and his son Eustace are witnesses; to the second Hugh and his son Bernard appear in the same relation. If the supposition be correct which makes Hugh to be the lord of Bailleul-en-Vimeu and the brother of Guy of England, then Bernard, failing Eustace, who must either have been the younger son, or have died childless, was the heir to the lands in Picardy as he was the successor to his uncle Guy in England.

There is no evidence that Guy de Baliol formed one of the first expedition, which overthrew the English king and his power at Hastings,

[1] Wido de Balliol occurs as a witness to a grant of Notfeld, in Surrey, by Henry I. to the priory of St. Vulmar, at Boulogne. With one exception the other witnesses are all persons of high official position, or relations of the king. His connection with Picardy appears to be the reason why he appears in the list. It might seem from this that he was the owner of the Picardy lordships of his house, but it probably does not imply more than that he was connected with a great local family, and in favour with the king. Dugdale's *Monasticon*, ed. Caley, etc. 1817, vol. vi. p. 1114.

[2] Note to a pedigree in M. de Belleval's *Jean de Bailleul*, p. 48. M. de Belleval calls Hugh sire de Bailleul-en-Vimeu, but gives no proof of the statement.

nor, indeed, is there any certain proof that he came to England in the time of the Conqueror.[1]

That he was possessed of large estates in the time of his successor, the Red King, is established upon documentary evidence of absolute authority.[2] He received from William Rufus a mediety of the manor of Bywell on the Tyne, probably including Woodhorn with its appendages, the manor of Gainford with Stainton, the vills of Marwood and Middleton, and the forests of Marwood and Teesdale in the valley of the Tees. This grant, consisting of estates carved out of the large possessions of the earldom of Northumberland, comprised within it the regalities and immunities of a great baronial franchise, the right of gallows, power to judge felons taken within the liberty, and the chattels of felons convicted in the lord's court.[3]

The centres of these two great Baliol lordships, Bywell and Marwood, present features in some respects similar, though they differ widely in others. Both are situated on large rivers and each guards the access to the lower parts of the valley in which it is placed, the Durham site being higher up the river than that which stands on the Tyne. They are both planted among rich and fertile fields with bleak and wild uplands in near neighbourhood.

At Bywell, the castle, which is later, however, than the time of the Baliols,[4] lies close by the river, in times of flood scarcely out of reach of its

[1] In Spearman's *Enquiry* (1729), p. 51, there is an account of the Baliol family in connection with Barnard Castle, apparently taken from some previous writer, which contains a passage about Guy Baliol and the grant of Bywell, Marwood, and Gainford. There is no reference to any authority for the statement, and though there is a certain amount of precision about the relation which might seem to be in favour of its correctness, it cannot be regarded as authentic so far at least as the details are concerned. 'Guido Baliol in Angliam cum Willielmo Conquestori venit, cui quidem Guidoni Willielmus Rufus Rex anno 7 regni sui, pro bono et fideli servitio suo impenso, dedit baroniam de Bywell in comitatu Northumbriæ, eumque baronem inde fecit, deditque praeterea idem Rex Willielmus dicto tempore forestas de Teasdale et Marwood simul cum dominiis de Middleton in Teasdale et Gainford cum omnibus eorum regalitatibus et immunitatibus ad inde spectantibus.'

[2] 'Hugo de Baillol tenet in capite de domino Rege baroniam de Bywelle cum pertinenciis per servicium quinque militum. Et tamen debet ad wardam Novi Castri super Tynam xxx milites. Omnes vero antecessores sui tenuerunt per eadem servicia post tempus domini Regis Willelmi Ruffi, qui eos feoffavit; et de feoffamento illo nichil alienatum est vel datum per maritagium vel elemosinam vel aliquo modo unde dominus Rex minus habeat de servicio suo.' *Testa de Nevill*, Record Series, p. 392. The thirty men he had to find for castle-ward at Newcastle-upon-Tyne probably represented one from each of the thirty fees held by the Baliols throughout England, but which were all to be provided out of the Bywell barony.

[3] The rights of one of the Baliol baronies are given in full in the pleadings of a suit before the King's Justices at Newcastle-upon-Tyne, 21 Edw. I. 'Item Johannes rex Scotiæ habet apud Castrum Bernardi infra praedictas libertates (Dunelm.): mercatum, feriam, pillorium, et tumberell, furcas et infangenethef, et capit catella felonum dampnatorum in curia sua, et habet ibi liberam chaceam et liberam warennam in omnibus terris suis in libertate praedicti Episcopi.' Ryley, *Placita Parliamentaria*, p. 169.

[4] There does not appear to have been a castle or any such like fortified place at Bywell when it was in the hands of the Baliols. Had there been one it is almost certain that some remains of it would have been left. At Bywell, as the centre of the fee, there must, however, have been some adequate place of

waters, the stream flowing gently with rippling shallows over a pebbly bed. Along the river side, and not far distant from the house and court of the lord, were the houses of his retainers, with two churches in near proximity, one attached to the Baliol fee, the other to the conterminous one of Bolbec. Among the houses were those of the miller, the carpenter, the baker, the pounder, and other needful folk, not the least important being that of the smith with his forge; he, the oldest as he is the greatest of all noble craftsmen, for 'by hammer and hand all arts do stand,' who has a pedigree in comparison with which that of Baliol is but of yesterday. Across the river stretched the weir, as well a dam for the lord's mill, as a provision, in the trap it contained, for catching the salmon in their ascent up-stream, and forming a very valuable property among the rights of the barony.[1]

At Barnard Castle, the other north country Baliol lordship, into which Marwood has developed, the castle stands high upon the precipitous rock which there bounds the Tees on its northern bank. Unlike the Tyne, the river flows in a broken and angry course over a rocky bed, through which it wears its way, for many a mile. The castle rises in strength and dominates the town, which gathers in a closely packed mass beneath it, suggesting the commanding rule of the lord as well as his protecting hand.

In addition to Bywell, Marwood, and Gainford, the great lordships in Tynedale and Teesdale, given him by William Rufus about 1093, Guy de Baliol was possessed of Stokesley with the forest of Basedale in Cleveland, probably by grant from the same king.[2] As he gave land in the hundred of that place, he appears to have been the owner of the manor of Hitchin

residence for the lord, and other buildings appurtenant to a great franchise. The names of witnesses to many Baliol charters give evidence of their having been executed in the lord's court there, and in one case, a grant of land from Adam de Stokesfeld to Sir Alexander de Baylliol (*Durham Treasury*, Misc. Chart. No. 251), one of the witnesses is William de Rodheclin, senescal of Biwell.

[1] In a grant from John de Stokesfelde to Sir Robert de Estouteville and dame Alaynor de Gounure his wife, widow of Alexander de Baliol, mention is made of the 'loc' and fishery at Bywell. *Dur. Treas.* Misc. Chart. No. 252.

[2] The extent of the manor is set out in *Kirkby's Inquest*, Surt. Soc. No. 49, p. 133, as follows: Stokeslay, Batherby, Ingleby juxta Grenehowe, Parva Browghton, Dromondby, Kyrkeby, Magna Buskeby, Parva Buskby, Scoterskelff, Thoraldby, et Neweby. It consisted of four fees, and had a fair granted by Henry III. In Domesday, the manerium in Stocheslage had a soke comprising Codeschelf, Turoldesbi, Englebi, Broctune, Tametun, Cherchebi, Dragmalebi, Buschebi et alia Buschebi. *Domesday*, Record Series, vol. i. p. 331 b. Hugo de Eure, son of Ada de Baliol by her marriage with John fitz Robert, then the owner, when summoned in 1290 to show warrant for various privileges he claimed, stated that they had been held by his grandfather, Hugo de Baliol, and his ancestors from the time of the Conquest. *Placita de quo warranto*, Record Series, p. 194.

(Hiche), in Hertfordshire, an early Baliol fee, though it is stated in the *Testa de Nevill* to have been given to the Baliols by grant of Henry II.[1]

Like many of the great barons who benefited by the conquest and redistribution of England, Guy de Baliol was a large benefactor to the church. The spirit which impelled these great landed lords to such liberal endowments was surely not merely that of a base superstitious fear, or of an attempt to condone offences against an outraged Deity by a gift. It was rather, it may be hoped, the desire to provide the people who belonged to them, and among whom they lived, with the means of securing a better instruction and of aspiring to higher and more humane feelings than the incidents and experiences of their daily life afforded them.

Guy de Baliol gave land at Hexton in Hitchin hundred to the abbey of St. Albans.[2] To St. Mary's abbey at York he gave the church of Stokesley, with a carucate of land there and the tithe of the demesne; the church of Gainford with two bovates of land and the tithe of the demesne; and the church of Stainton (a member of Gainford), with two bovates of land and the tithe of the demesne. The grant was made for the souls of his lord King Henry, of Henry's father William the Conqueror, and his mother Queen Matilda, his brother William Rufus, his son William (drowned in the White Ship), as well as for the souls of members of his own family.[3]

The name of his wife was Dionysia, by whom he had a daughter, Hawis, who married William Bertram, lord of Mitford. Her father, Guy, gave her

[1] The extent of the manor held in capite of the king by the service of two knights' fees, is given in an inquisition taken in December, 1268, on the death of John de Baliol. (*Inq. p.m.* 53 Hen. III. Record Series, vol. i. p. 33.) In the *Testa de Nevill*, p. 265 b, John de Baliol is stated to hold it, of the old feoffment, by the service of one-and-a-half knight's fees, paying by the hand of Robert de Cherleton his senescal 1½ marcs. In the same record, p. 281 b, it is valued at £100. A further entry connected with it occurs in the *Testa*, p. 269 b, under the date of 19 Hen. III. (1234-5): 'Hugo de Baillol tenet Hiche in capite de domino Rege in augmento baroniae suae, de dono Henrici Regis avi Domini Regis, et defendit terram cum alia baronia sua per feodum duorum militum.'

[2] 'Wido de Bailul dedit Sancto Albano et fratribus ad victum eorum unam virgatam terrae in Hehstanstune.' Brit. Mus. *Cotton MSS.* Nero 'D' 7, fol. 94 b. He occurs in the list of 'Nomina secularium et fraternitatum receptorum,' fol. 119 v.

[3] 'Omnibus videntibus vel audientibus, tam modernis quam posteris, litteras has, Guido de Balliolo salutem. Sciatis me dedisse in pura elemosina Deo et Sanctae Mariae et abbaciae Eboracensi ecclesiam de Stokesley et unam carucatam terrae in eadem villa, et decimam de dominio meo ejusdem villae, et ecclesiam de Gaynesford et duas bovatas terrae et decimam de dominio meo ejusdem manerii, et ecclesiam de Steynton et duas bovatas terrae et decimam de dominio meo ejusdem villae, pro anima Henrici regis domini mei et patris ejus regis Willelmi et matris ejus reginae Matild' et fratris ejus regis Willelmi, et filii ejus Willelmi, et pro anima mea et Dionisiae uxoris meae et Bernardi de Balliolo nepotis mei, et pro animabus omnium fidelium defunctorum. Et hoc sciatis quod hanc donacionem feci sine omni terreno servicio. Testibus, Raynero dapifero meo, et Vitali de Stokesley et Haithelardo et Roberto presbitero et Sauhala presbitero. Et hanc elemosinam feci pro animabus patris mei et matris meae et omnium parentum meorum.' Minster Library, York, xvi. 'A,' 1, *Reg. S. Mariae Ebor.* fol. 304. In the margin is the note, 'Ista carta jacet inter cartas fundatorum, cellula quarta, littera A.'

the socage of Stainton,[1] a member of Gainford; the lordship of the place remained, however, with that of Gainford, in the main line of Baliol until the forfeiture of John, the king of Scotland. He also gave her Bechefeld, in the barony of Baliol.[2] The only incident in his life, beyond grants to religious houses, which has been recorded, is a prohibition, issued probably in the first decad of the twelfth century, from Henry I. forbidding him to hunt in the forests of Ranulf Flambard, bishop of Durham.[3] The time of his death is uncertain.[4] He left no son, and was succeeded by his nephew, Bernard, probably the son of a brother, Hugh.[5]

His successor, Bernard,[6] was the builder of the great stronghold on the height of Marwood, which, under the name of Barnard Castle, supplanted the old Anglian name of the place. There is nothing left to show at what period of Bernard's life the castle was built.[7] It is doubtful if any portion of his work remains, the greater part of the present building is certainly of many different and later times. Towering, as it does, over the river on one side, and enclosed by woods and gardens on the others, it presents a picture alike impressive by its massive strength and soothing by its gracious surroundings, and may claim, from its position and imposing outlines, to

[1] Roger Bertram, son of William and Hawis, by a deed, executed between 1149 and 1152, confirmed to St. Mary's, York, the grant of the church at Stainton. 'Rogerus Bertram omnibus amicis suis et Sanctae Ecclesiae fidelibus, tam praesentibus quam futuris, salutem. Sciatis me concessisse, in puram et perpetuam elemosinam, ecclesiae Sanctae Mariae Ebor., consilio venerabilium episcoporum Willelmi Dunelm. et Adelwoldi Carleol., ecclesiam de Staynton cum omnibus pertinenciis suis, liberam et quietam, quam pater meus Willelmus et avus meus Wido de Bailliol eidem ecclesiae dederunt, pro anima patris mei et matris meae, necnon et salute mea, parentumque meorum, tam vivorum quam defunctorum. Testibus hiis. Willelmo episcopo Dunelm., Adelev' episcopo Carlel', Laurencio priore Dunelmensi, Ranulfo archidiacono, Nicholao priore de Brincheburgh, Magistro Laurencio.' *Reg. S. Mariae Ebor.* fol. 312 v.

[2] Socagium baroniae de Bayll'. 'Heres Rogeri Bertram tenet Bechefeld in maritagium.' *Testa de Nevill*, p. 388.

[3] Leland, *Collectanea*, ed. 1770, vol. i. pt. ii. p. 389. 'Guido de Baleol in Durhamshire, tempore Henrici primi prohibitus ne fugeret in forestis Ranulphi Episcopi Dunelmen. Teste Wald(ric) cancellario meo apud Barton super Humbram.'

[4] Walbran, in the *History of Gainford*, p. 127, note *, says he was alive in 1112, but he gives no authority for the statement. He also states that he was alive after 1109, to which year he attributes the writ of prohibition by Henry I. There is no ground, however, for assigning any year to the issuing of the writ, which, however, on account of its being witnessed by Waldric, must have been before 1107.

[5] Walbran, p. 147, says he was informed by Sir Thomas Phillipps, bart., that the name of Wido's wife was Agnes, and that Barnard had two brothers, Guy and Hugh. This information, he says, was obtained from charters in France. It is unfortunate that he gave no reference to where the charters were.

[6] The succession of Bernard to his uncle Guy was not according to the ordinary laws of descent, for Guy had a daughter to whom his lordships would naturally have passed. It is possible, as Mr. Longstaffe has suggested in a paper on Stainton-in-the-Street (*Arch. Ael.* vol. iii. new series, p. 75), that arrangements of the nature of entails might have then existed, and that Bernard succeeded under some such special settlement.

[7] Walbran, *History of Gainford*, p. 127, says the castle was built between the years 1112 and 1132, citing in note * a charter, containing the words 'capella de castello Bernardi,' which he thinks was granted between 1131 and July 17th, 1132; he adduces this as proof that it was built before the latter date. The deed is a grant by abbot Clement, and cannot be earlier than 1161, when he succeeded. Only the initial C of the name is written, which Walbran appears to have read as G, the initial of Godfrid, who, becoming abbot in 1131, died July 17th, 1132. *Reg. S. Mariae Ebor.* fol. 305.

hold its own even when compared with most of the other noble castles of the north. The erection of a residence for the lord with all the necessary apparatus for a great franchise necessarily added to the existing population of the old vill of Marwood. The place thus became so important that Bernard de Baliol created it a borough, with rights, liberties, and privileges, similar to those which had been granted by Alan of Brittany, earl of Richmond, to his burgesses of that place. Bernard's charter no longer exists, but that of his son, confirming it,[1] and others, also confirmatory, granted by members of the family, still remain, some with the seals attached, among the muniments of the town of Barnard Castle.

Bernard Baliol, in 1130-1, in Yorkshire and Northumberland, was pardoned, by the king's brief to the sheriff, £6 15s., and another sum of 42s.; and in the same counties, for Danegeld, 37s. 1d. In Essex and Herts, he was pardoned five marcs of silver, and in Herts, for Danegeld, 33s. 4d.[2] In 1161-2 he paid £20 for scutage for the army of Toulouse.[3]

Bernard de Baliol came into intimate relations with David, king of Scotland, who, through his early bringing up at the court of his relative, Henry I., had become influenced by Norman habits and manners, and attached to many members of the great feudatories of the English crown. Bernard must have often resided in Scotland, for his name occurs attached as a witness to numerous charters of King David. That he occupied a favourable position with David is shown by the large grants of land in Scotland which he had from the king. It is possible, indeed, that this Scottish connection may have led to the marriage of his descendant, John, with the great heiress of Galloway, which brought the throne of Scotland to his son. In spite of this relationship with David, he was one of those who endeavoured to dissuade him from his intended war with England, and he still further showed his faithfulness to his own country by forming one of the army which defeated the Scottish king at the battle of the Standard, fought on Cowton Moor, August 22nd, 1138.[4] Before this, in 1135, together with King David, he had done homage to the Empress Matilda, and in 1140 he supported William Cumin, the chancellor of Scotland, when, with the connivance of the empress and David, he intruded himself into the see of Durham.[5] His adherence to the invader of the

[1] His charter, which has attached to it an imperfect seal, is printed in Hutchinson's *History of Durham*, vol. iii. p. 233. Surtees, *History of Durham*, vol. iv. p. 71.

[2] *Magnum Rotulum Scaccarii*, ed. Hunter, Record Series, pp. 28, 34, 42, 57, 62.

[3] *Red Book of the Exchequer*, Rolls Series, p. 29, 8 Hen. II. Eboracsira.

[4] Ric. Hagustald., *Priory of Hexham*, vol. i. p. 89; *Chron. of Reign of Stephen*, etc., vol. iv. p. 161.

[5] Simeon of Durham, *Continuatio*, ed. Bedford p. 265; ed. Arnold, Rolls Series, vol. i. p. 144.

bishopric of Durham must have been shaken when Cumin, about Christmas in the same year, plundered Baliol's lands and slew many of his men.[1] It is, however, possible that he had even before then withdrawn his support of Cumin and his adherence to the empress: in any case, he shortly after transferred his allegiance to King Stephen, and was taken prisoner with him at the battle of Lincoln, February 2nd, 1141.[2] The public records of the kingdom at the time are very incomplete, and it could not therefore be expected that many notices of him in his relation to the affairs of the crown and its officials should occur. In 1162, the sheriff of Yorkshire, Bertram de Bulmer, accounted for the scutage of Bernard de Baliol, who had paid £20 into the treasury.[3] Like his uncle, he was a benefactor of the church, granting a confirmation of Guy's gift of Gainford to the monks of St. Mary's abbey, in which occurs the clause, 'as it was given by Wido de Baliol, my uncle, from whom I have heirship.'[4] By an agreement, which must have been made at the same time as Bernard's confirmation, for the witnesses to both are identical, it was arranged that, during his own life and that of his heir next to come, Bernard Baliol should have the nomination of a parson to serve the church of Gainford. The parson so nominated was to be presented to the bishop of Durham by the abbot of St. Mary himself, and he (the parson) was to pay, during the life time of Bernard and his heir next to come, 40s. yearly to the abbot. The confirmation and agreement were probably made not long after Savaric became abbot, in 1132.[5]

[1] Simeon of Durham, *Continuatio*, ed. Bedford, p. 265; ed. Arnold, Rolls Series, vol. i. p. 283.

[2] Joh. Hagustald., *Twysden Decem Script.*, p. 269; *Priory of Hexham*, Surt. Soc. vol. i. p. 134.

[3] *Rot. Pipae* (Yorkshire), 8 Henry II. rot. 6.

[4] 'B. de Balliolo . . . Sciatis me concessisse . . . S. Mariae Ebor, ecclesiam de Gainesford cum capella de castello Bernardi et aliis pertinentiis suis . . . quam ecclesiam Wido de Balliolo meus avunculus de quo hereditatem habeo, praefato monasterio dedit . . . pro salute animae ipsius Widonis et pro salute animae meae et patris et matris meae, necnon et filiorum meorum vivorum et defunctorum.' *Crawford Collection of Charters*, Bodleian Library, 1895, No. xviii. p. 34.

[5] 'Notum sit omnibus legentibus vel audientibus litteras has, hoc esse prolocutum de ecclesia de Gaynesford, inter Savaricum abbatem et monachos Sanctae Mariae Ebor., et Bernardum de Balliolo, quod si vivente Bernardo et primo herede suo post ipsam venturo, personam praefatae ecclesiae de Gaynesford providere contigeret, ipse Bernardus vel heres suus talem eliget personam quae legitima sit, electamque abbati et monachis Sanctae Mariae Ebor. transmittet. Abbas vero sola sua auctoritate eam episcopo Dunelmensi praesentabit. Suscipiens autem persona ecclesiam abbati et monachis per sacramentum fidelitatis alligabitur. De beneficiis autem sepedictae ecclesiae retinet abbas in manu sua, vivente Bernardo et herede suo primo post ipsum venturo, singulis annis xl solidos, quos reddent ei clerici qui interim tenebunt ecclesiam. Postquam vero mortui fuerint Bernardus et heres suus primus, nichil ulterius pertinebit ad aliquem suorum successorum de eligenda persona, set talis per abbatem et monachos si intromittet de ecclesia qui idoneus erit, et ipsa ecclesia postea remanebit monasterio Sanctae Mariae Ebor., soluta et quieta et libera ab omni consuetudine terrena, sicut pura et perpetua elemosina. Testibus. Ingelramo de Ball', Waltero de Heding', Daniele filio Walteri, Paulino medico, Hereberto de Doura clerico Bernardi de Ball', Raynero de Stokesley, Elsi de Neuton, Waltero de Abbeuilla.' *Reg. S. Mariae Ebor.* fol. 306.

In Northumberland he gave to the canons of Hexham the manor of Stelling, and, at Newbiggen-on-the-Sea, a member of the manor of Woodhorn, and part of the great Baliol fee in Northumberland,[1] a toft, and two acres of land; to Newminster abbey he gave another toft in Newbiggen,[2] and to the priory of Brinkburn he gave a dwelling (mansura) in the same place, which was exchanged for another by his son Bernard, who addresses his charter to all his men, French and English, and especially to his 'burgesses' of Newbyggyng.[3] Out of his Scottish estates he gave a fishery in the Tweed pertaining to Wudehorne, called Wudehorne stelle, to the monastery of Kelso.[4] A grant of fifteen librates of land at Wedelee in Dynnesley, otherwise Preston, a member of his manor of Hitchin in Hertfordshire, which he made, with the consent of his son Ingelram, to the knights of the Temple, was executed under very unusual circumstances, which seem to emphasize the importance of the gift. It was done at Paris in a chapter of the order, in the presence of the pope, Eugenius III. (1145-1153), the king of France, four archbishops, and one hundred and thirty knights of the Temple.[5]

It is difficult to form an estimate of the character of Bernard Baliol from the few incidents of his life which have been recorded. What is known, however, is favourable to him. He conducted himself in very troublous times in such a way as on more than one occasion to save himself from a position which might have been perilous. He increased the possessions of his house and added to its influence, and, by the erection of the great castle on the Tees, he made himself secure against attack from more than one quarter. To the right and just ordering of his retainers and

[1] *Priory of Hexham*, Surt. Soc. No. 46, vol. ii. p. 116.

[2] *Newminster Cartulary*, Surt. Soc. No. 66, pp. 244, 245.

[3] *Brinkburn Cartulary*, Surt. Soc. No. 90, pp. 144, 145.

[4] This grant was confirmed by King David, Bernard Baliol the second, Hugh Baliol, Bernard the first's great-grandson, and Richard, bishop of Durham. The charter was witnessed by Bernard's sons Wido (Guy) and Bernard. *Liber S. Mariae de Calchou*, Bannatyne Club, pp. 24, 42, 43.

[5] The following abstract of this very interesting charter is made from a transcript of the original document in 'Registrum munimentorum, etc., prioratus hospitalis S. Johannis Jerusalem in Anglia, etc.,' British Museum, *Cotton MSS.*, Nero 'E' vi. 1 Rubric xxvi., folio, new 125, old 118: 'Bernardus de Ballolio salutem, etc., volo notum fieri omnibus, etc., quod pro dilectione Dei et salute animae meae, antecessorumque meorum, fratribus militibus de templo Salomonis xv^{cim} libratas terrae meae quam in Anglia possideo perpetuo in elemosinam, libere et absque ulla consuetudine, dedi et concessi Wedelee nominatim, quae est membrum de Hichen, etc., filio meo Ingelramo concedente et assentiante. Hoc donum in capitolio quod in octavis Paschae Parisiis fuit feci; Domino apostolico Eugenio praesente et ipso rege Franciae et Archiepiscopo Senn' (Senonensi), etc., et fratribus militibus templi alba clamide indutis c^{tum} et xxx^{ta} praesentibus, &c. A charter of confirmation by King Stephen occurs at folio 133 b.

men, gathered about the centre of his franchise, and to their reasonable independence, he showed himself well disposed, when he made Barnard Castle into a borough, with all its attendant privileges. His gifts to religious houses have already been noticed. One of the most creditable of his actions, which indeed may be called noble, was the part he took in endeavouring to prevent David of Scotland from continuing the cruel and devastating invasion of England which he was carrying on before the battle of the Standard. This was the more praiseworthy by reason of the relations between them. Baliol was indebted to David for large grants of land, was in fact under the feudal system his man, and therefore bound to him by many a strong tie, which might have prevented a weaker and less honourable character from assuming the office of peacemaker. It is pleasing to remember that another northern baron, similarly circumstanced, Robert de Brus, was equally a partner in the same good purpose. Each of these two great lords, thus associated in an attempt in a politic and humane cause, was also the progenitor of a king of Scotland. Bernard Baliol had the reputation of being a brave and skilful soldier, and was engaged in many warlike operations, not always, however, with success. One of the chroniclers says of him, that he was most experienced in military affairs.

According to a charter executed between 1127 and 1144, granting to the abbey of Cluny certain altars in the diocese of Amiens, which the grantors, Bernard and his children, had by inheritance, the name of Bernard's wife was Mathildis; four sons are mentioned, Igerrannus (Ingelram), Guy, Eustace, and Bernard, and a daughter, Atuidis, as well as brothers, one of whom was called Radulf.[1] He appears to have died in 1167, when he was succeeded by his son, Bernard. Dugdale in his *Baronage* does not recognise more than one Bernard, but, in addition to the improbability of a life having lasted so long as would be required had there been only one of the name, there is the evidence of charters and other documents showing that there were two. Among others is the second Bernard's grant of confirmation to the burgesses of Barnard Castle, where he assures to them the privileges given by his father. The *Liber Vitae* of the church of Durham is conclusive on

[1] *Cal. of Documents in France*, ed. Round, vol. i. p. 513. The altars were those of Dompierre (Domnopetro), Bailleul (Baiollio), T(o)urs, Ercourt (Aerdicuria), Ramburelles (Ramburellis), Al(l)enai. The grant was probably made in 1138 or shortly before then, as in that year it was confirmed by Guarinus, bishop of Amiens. *Gallia Christiana*, vol. x. p. 1174.

the matter, for in the list of benefactors there occur the entries, Bernardus Bailiol senior, Bernardus junior, his son.[1]

In the year 1168, after Bernard the second had succeeded, he was fined twenty pounds for not rendering an account of what he held in chief of the king by production of his charters.[2] Two years afterwards he freed his lands, which had been seized into the king's hands, by a payment of two hundred marcs, of which he had paid 100 marcs, leaving 100 marcs still owing, which were paid before the next year's account.[3] The same year he owed £4 for a forfeiture in Newebigginge.[4] In 1173 he rendered account for the scutage of Ireland.[5] In 1194-5 the sheriff of Northants rendered account of Bernard Baliol for 20s.[6]; and, in 1197-8, the same sheriff owed 20s. for his third scutge,[7] part of which was still owing in 1199-1200.[8]

Bernard Baliol followed in the steps of his ancestors in giving liberally to various monastic houses. In a grant he made to Edmund de Sedtun of a third part of Setun, he burdened the land with a yearly sum of one marc of silver, to be paid to the abbey of St. Andrew of Hexham, for the souls of Bernard de Baillolo, his father, and Guy, his brother. In augmentation of the third part of Setun, he further gave him sixty-four acres and one rood upon Dethederig, for which he was to render, on the part of Bernard, every year at Christmas, twelve pence for castleward at Newcastle-upon-Tyne (*Reddendo per annum ad Natale Domini duodecim denarios pro me custodiae domini Regis apud Novum Castrum super Tinam*).[9] He con-

[1] *Liber Vitae.* Surt. Soc. No. 13, p. 103. The entries are very full and conclusive. 'Bernardus Bail' senior. | Bernardus junior, filius ejus. | Ingelram de b. filius ejus. | Wid' et Eustacius filii ejus. | Matilda mater et Hawisia et altera Hawis, et domina Agnes de Pinchenei uxor junioris Bernardi. | Rogerus filius Hugonis nepos ejus, et Johannes frater Rogeri.'

[2] *Rot. Pipae*, 14 Hen. II. Pipe Roll Society, vol. xii. p. 172. All the references to the Pipe rolls which concern the Bywell barony may be found in Hodgson's *Northumberland*, pt. ii. vol. iii. The greatest credit is due to the Rev. John Hodgson for having printed the whole of the entries connected with the county in those most valuable historical records the Pipe rolls. It is a strange and deplorable fact that even now the complete series of Pipe Rolls, as well as of other equally indispensable state documents have not been printed by the authority of the nation.

[3] *Rot. Pipae* (Northumberland), 16 Hen. II. Pipe Roll Soc. vol. xv. p. 48. [4] *Ibid.* p 51.

[5] *Ibid.* 19 Hen. II. Pipe Roll Soc. vol. xix. p. 112. [6] *Red Book of the Exchequer*, p. 82.

[7] *Rot. Pipae* (Northamptonshire), 9 Ric. I. rot. 6 dorso. [8] *Ibid.* 1 John, rot. 2.

[9] The original charter, wanting the seal, is preserved among the muniments of Sir Arthur E. Middleton, bart., at Belsay. Seaton, in the manor of Woodhorn, part of the Baliol fee, was ultimately, if not at the time of this deed, divided into three parts. The payment of one marc represents a third of 40s., a rent given out of Seaton to the abbey of Hexham by Bernard Baliol. *Hexham Priory*, vol. ii. p. 42. Surt. Soc. The number of witnesses (given below) is very large, and appears to include the names of persons from various parts of the Baliol fees, including one from Hitchin in Herefordshire, and at least two from Picardy. 'His testibus. Guidone de bouis curia, Hugone de Tillelai, Reginaldo de Neutun, Roberto de Rue, Osberto de Hiche, Hugone capellano, Petro diacono de Loisun, Nicholao de Nuebi, Guidone de Balreim, Waltero de Hestdib, Helya fratre Roberti de Rue, Hugone de Sancto Germano, Waltero filio Mauricii, Ingelramo de Loisun, Hugone filio Reginaldi, Thoma filio Gille,

firmed to the abbey of St. Mary at York the gift of the church of Gainford, the church of the castle of Bernard, and the church of Middleton, with two bovates of land and a toft and croft.[1] In this charter he mentions that in the time of his father the churches of the castle of Bernard and Middleton were chapels. It is difficult to understand what is meant by that expression, for Barnard Castle has always until quite lately been merely a chapel under Gainford. Some change in the status of that church at the two periods seems to be implied by the terms of Bernard's confirmation. To another great Yorkshire monastery, Rievaux, he gave large grants of pasturage in his forest of Teesdale, with land as well, and similar pasturage in his forest of Westerdale, in Cleveland, and land in addition. These charters[2] are of much interest, on account of the full details there given of boundaries, numbers and kinds of horses and cattle, and the various things connected with them. They show also a sense of obligation to the king, Henry II., all the grants being made for the soul of the king as well as for those of Bernard's relatives, his father Bernard, his uncle Jocelin, and his wife Agnes de Pinchenei. He gave to the same monks a fishery at Neasham on the Tees, with lands and other rights.[3] To the abbey of Whitby he granted the churches of Ingleby and Kirkby, and confirmed his brother Guy's grant of the mill of Ingleby.[4] Guy de Baliol, apparently his elder brother, who had died during his father's lifetime, is mentioned in a confirmation charter of King Stephen to the monastery of St. Pancras, at Lewes, a dependency of the great abbey of Cluny.[5] He appears there as the grantor of Faxton (Fakestuna) which, with Waldegrave and Multon, all in Northamptonshire, were part of the Baliol fee and held of the honour of Castle Barnard.[6] Guy de Baliol confirmed to St. Mary's, York,

Radulpho filio Gille, Eustacio de Werweyton, Baldwino de B'cistone, Rogero p'tore (pistore) de Castello Bernardi, Odo coco, Fouberto coco, Ri (parchment eaten away), Rann' clerico de Stanfordham, Ricardo de Stellig, Jordano de Heddun, Ada filio Symonis (Syois), Ada de Hydelai, Galfrido de Lelleforde.'

[1] 'Bernardus de Baillol . . . sciatis me concessisse . . . ecclesiae Sanctae Mariae Eboraci . . . ecclesiam de Gainford cum omn. pert. suis, et ecclesiam de Castello Bernardi cum omn. pert. suis, et ecclesiam de Midelton cum omn. pert. suis. Et in eadem villa de Midelton duas bovatas terrae cum tofto et crofto. Sciendum est autem quod ecclesiae praenominatae, scilicet, de Castello Bernardi et de Midelton fuerunt capellae in tempore patris mei.' Original charter, Brit. Mus. Cart. Cott. v. 75. Seal equestrian. *Cat. of. Seals in Brit. Mus.* vol. ii. p. 241, No. 5643. *Reg. S. Mariae Ebor.* fol. 304 v.

[2] *Cartulary of Rievaux.* Surt. Soc. No. 83, pp. 67, 155.

[3] *Ibid.* pp. 67, 126, 153.

[4] *Whitby Cartulary.* Surt. Soc. No. 69, vol. i. p. 55.

[5] *Cal. of Documents in France*, ed. Round, vol. i. p. 512.

[6] Under the heading 'Feoda Johannis de Baillol in honore Castri Bernard,' Adam de Perington held four fees in Faxton, Waldegrave, and Multon. *Testa de Nevill*, p. 27. The same Adam also held of John de Baliol, in the barony of Bywell, Ellington, Cressewelle and Hayden, as one fee of the old feoffment. *l. c.* p. 385. In Bridges' *Northamptonshire*, vol. i. p. 417, Guydo Baliol, in the time of Henry II., is said to have held one hide and a half and a virgate of land in Moulton, of the fee of Faxton, and p. 418, John de Baliol is stated to have had a knight's fee there, 24 Edw. I.

the church of Gainford, with its members, which, as he says in his charter, his father, Bernard, had given to the abbey, as Wido de Balliol (the original donor) had granted it.[1] From his Hertfordshire estate of Hitchin, Bernard made gifts of land to the abbey of St. Albans.

The reputation of his house for vigour, determination, and a generous courage did not suffer at the hands of Bernard Baliol the younger, who is called by William of Newburgh, a man noble and magnanimous. A story is told of him by the chroniclers which is much to his credit as a bold and tactful soldier. It relates that when William the Lion, king of Scotland, in 1174 had invaded England, and was investing Alnwick, a body of troops, led by Robert de Stuteville, Ranulf de Glanville, William de Vesci, Bernard de Baliol, and other great lords, left Newcastle to relieve the place. On the way they became involved in a fog so dense that they could not see their way. The counsel of the leaders was, the perhaps prudent one, to return. Bernard Baliol gave the more courageous advice to advance. He exclaimed, 'Let who will return. I, if alone, will go on. Away with a course which will cover us with the stain of lasting infamy.' His bold proposal was adopted, and the relief of Alnwick, the capture of King William, and the total defeat of the Scottish army, July 13th, 1174, were the results.[2]

[1] *Reg. S. Mariae Ebor.* fol 304 v.

[2] William of Newburgh, *Chron. of the Reigns of Stephen*, etc., Rolls Series, vol. i. p. 183.

Jordan Fantosme, spiritual chancellor of Winchester, has given in verse a very graphic and detailed account of the war between the English and Scots in 1173 and 1174, of the events of which he was an eye-witness. Speaking about what took place when the troops were overtaken by the fog on the march to Alnwick, he says :

l. 1742. Dist Bernard de Baillo : 'Ki ore n'ad hardement,
Ne deit aveir honur ne rien qu'à lui apent.'

Relating the events of the fight, he mentions some of the battle cries of the followers of the commanders :

l. 1774. Jo ne cunt mie fable cume si qui ad oï,
Mès cum celui qui i fud ; et jo meïsmes le vie.
Quant ces unt jà crié l'enseigne de Vesci,
E 'Glanvile chevaliers !' et 'Bailol' autresi,
Odinel de Umfranvile relevad le suen cri,
E cil d' Estuteville, chevalier hardi.

He says of William de Mortimer that in the battle he fought like a mad wild boar, but

l. 1867. Il trovad cuntre lui un sëur chevalier,
Dan Bernart de Baillo dunt vus m'oëz parler ;
Il en ad abatu lui et sun destrier,
Si l'ad mis par fiance, cum l'um fait chevalier,
Bien le fait Dan Bernart, ne fait pas à blasmere ;
Al partir de la bataille le saurad l'um loer,
Ki mielz i fiert d'espée et mielz fait caplier.

Jordan Fantosme, Surt. Soc. No. 11, pp. 80, 84. Printed also in *Chron. of the Reigns of Stephen*, etc., Rolls Series, vol. iii. pp. 348, 350, 358.

His wife was Agnes de Pinchenei. Her name occurs as that of his wife in the *Liber Vitae* of Durham (p. 103), and her soul's welfare is mentioned in many of her husband's charters. Besides Eustace, he had another son, Hugh. He appears to have died before 1193. His successor was his son Eustace.

The first notice that occurs of him is that the sheriff of Essex and Herts accounts in 1194-5 for 40s. of Eustace de Baillol, who held two knight's fees.[1] In 1198-9 the same sheriff accounts for 80s. paid by Eustace de Baliol for the second and third scutages for the army of Normandy, 40s. for each.[2] In 1196-7 the sheriff of Northants accounts for 20s. for one knight's fee.[3] In consequence of disobeying the king's precept in not being in his service beyond sea, in 1199 he was fined 200 marcs of silver, to be paid in three instalments.[4] In 1200-1, he had paid on this account 40 marcs into the treasury and still owed 160 marcs,[5] which he seems not to have paid until 1209-10, when it was apparently settled.[6] In 1199-1200, as heir of Bernard de Baliol, he rendered account of 60 marcs for his scutage, of which he had paid 10 marcs. He also owe l £120 for the second and third scutages of Richard I., which was remitted by brief of the king.[7] In 1201 he still owed 50 marcs, the balance of his own scutage, reduced in 1202 to 40 marcs,[8] and still further reduced in 1208 to 17½ marcs,[9] leaving in 1209, after a payment of £10 18s. 8d., the sum of 15s. 4d. still owing.[10]

Said Bernard de Baliol, 'Whoever now has not boldness,
Ought not to have honour or anything that belongs to it.'

I tell no tale, as one who has heard,
But as one who was there, and I saw it myself.
When these had already raised the battle cry of Vesci,
And 'Glanville knights,' and 'Baliol' as well,
Odinel de Umfranvile lifted up his own cry,
And that of Estutevile the brave knight.

He found confronting him a bold knight,
Sir Bernard de Baliol, of whom you have heard me speak,
He struck him down and his charger,
So he put him on his honour, as one makes a knight,
Sir Bernard did right, and no one can blame him,
When the battle is over, one will know how to praise him,
As he who best plays his sword and fights the best.

The Baliols appear to have used another battle cry oversea, for John Baliol, king of Scotland, is said to have always kept to the old cry of his house, 'Hellicourt-en-Pontieu.' Du Cange, in Petitot. *Collection des Mémoires relatifs à l'histoire de France*, Paris, 1819, vol. iii. p. 242.

[1] *Red Book of the Exchequer*, p. 95. [2] *Rot. Pipae* (Essex and Herts), 10 Ric. I. rot. 9 dorso.
[3] *Red Book of the Exchequer*, p. 105. [4] *Rot. de Oblatis* (Northumberland), 1 John, No. 21.
[5] *Rot. Pipae* (Northumberland), 2 John, rot. 1. [6] *Ibid.* 11 John, rot. 15 dorso. [7] *Ibid.* 1 John, rot. 8 dorso.
[8] *Ibid.* 3 John, rot. 17. [9] *Ibid.* 10 John, rot. 7. [10] *Ibid.* 11 John, rot. 15 dorso.

He confirmed, with the assent of his son Hugh, the grants of his ancestors to St. Mary's abbey at York.[1] In conjunction with his father Bernard, he had granted two mills in the manor of Woodhorn to the order of the knights of St. John of Jerusalem, which was confirmed by King John, August 30th, 1199.[2] To the monastery of Durham he confirmed the church of St. Peter at Bywell, which, by the terms of the agreement between Durham and St. Albans, had, together with the church of Edlingham, been conveyed to Durham. This was done in the words of one charter with the advice of his son Hugh,[3] in the words of another with the consent and will of his son.[4] The first witness to both charters is Hugh, his son and heir.[5] To his grandfather's gift to Kelso abbey he added land near Heley Chestres,[6] and he confirmed Bernard's grant to Newminster abbey, adding the gift of a fishing boat.[7]

So far as has been recorded his life seems to have been uneventful, and his name scarcely appears except in charters granted by him. He married, for his second wife, the widow of Robert fitz Piers, for which he had license in 1190, paying a fine of £100;[8] he had paid into the treasury £17 8s. 1d., and was to discharge the remainder by yearly payments of

[1] 'Sciant praesentes et futuri quod ego Eustacius de Baillol, assensu et concensu Hugonis filii mei et heredis mei, concessi . . . ecclesiae Beatae Mariae Ebor. . . . advocacionem ecclesiae de Gaynesford cum capellis de Castello Bernardi et de Midelton et omn. aliis pert. suis, et duas bovatas terrae cum tofto et crofto in villa de Midelton praedicta. Habenda . . . adeo libere . . . sicut Guido de Baillol senior, et heredes ejus post eum antecessores, scilicet, mei ea dederunt. . . . Praeterea concedo . . . ecclesiam de Stokesley et unam carucatam terrae in eadem villa et decimas de dominico meo in eadem villa, et ecclesiam de Steynton et duas bovatas terrae et decimas de dominico meo in eadem villa cum omnibus ad eadem pertinentibus. . . . Testibus. Huberto Cantuariensi archiepiscopo, Galfrido filio Petri comite Essexiae, tunc capitali justiciario domini Regis, Willelmo de Estotutuil, Ricardo de Herierd', Simone de Pateshille, Johanne de Gestlinges, Galfrido de Bocland, Rogero constabulario Cestriae, Roberto Vauasour, Willelmo Percy de Gildalle (Kildale) et aliis. In hujus rei testimonium tam ego quam dominus Johannes Francigena et W. officialis Karl' huic scripto sigilla nostra apposuimus. *Reg. S. Mariae Ebor.* fol. 304. Hugh granted a charter in similar terms, and with the same witnesses. Fol. 304.

His confirmation was executed probably after the termination of a suit he had with St. Mary's abbey, out of which it was the issue. Between Sept. 29 and Oct. 13, 1200, there was a plea between Robert, abbot of (St. Mary) York, and Eustace de Baiolo and his son Hugo, of the advowson of the church of Gainford with the chapels of Castellum Bernardi, Midelton, Denton, Hoctona, and Sumerhusum. Eustace admitted that the advowson belonged to St. Mary's abbey, and undertook to quit-claim it to the monks, receiving in return 20 marcs of silver. *Pedes Finium Ebor.* Surt. Soc. No. 94, p. 5.

[2] *Rot. Chart. in Turri Londin.* Record Series, p. 16.

[3] *Durham Treasury*, 2da 2^dae Spec. No. 7.

[4] *Ibid.* No. 7*

[5] To each of these charters his seal is still attached. It is round, 2½ inches in diameter. A knight galloping to right, wearing a flat-topped helmet, sword in right hand, and shield held on left arm and slung round the shoulder, rising to the level of the chin. It bears on the front an escarbuncle.

SIGILLVM ✠ EVSTACHII ✠ DE BALLOLIO ✠

[6] This was confirmed by his son Hugh, to whose charter his brothers Ingelram and Bernard are witnesses. *Liber S. Mariae de Calchou*, p. 222.

[7] *Newminster Cartulary*, Surt. Soc. No. 66, p. 244.

[8] *Rot. Pipae* (Wiltshire), 2 Ric. I. rot. 10.

Eustachius de Baillol omnibus hominibus suis francis et anglis presentibus et futuris salutem. Notum sit uobis me cum
consensu et uoluntate Hugonis heredis mei et cum consilio proborum hominum meorum concessisse et hac mea carta
confirmasse in liberam et puram et perpetuam Elemosinam deo et sancto Cuthberto et monachis in ecclesia Dunt-
mensi in perpetuum seruituris ecclesiam de Bilbelle cum plenario tofto Salomonis decani iuxta ecclesiam sancti
Andree quem Walterus sacerdos ante eum tenuit. et cum omnibus ad eandem ecclesiam pertinentibus. Quare uo-
lo quod prenominati monachi prefatam ecclesiam cum pertinentiis suis habeant et teneant et possideant libere
quiete et honorifice sicut aliqui monachi uel canonici liberius quietius uel honorabilius tenent eccle-
sias suas in feodis baronum uel militum. Hiis testibus. Hugone filio et herede meo. Ricardo de Midford.
et Johanne fratre eius. Bernardo persona de Gainesford. Widone de Bouincint. Gilebrto de Laual. Hugone de Nor-
manuile. Roberto de Insula. Nicholao de Heduy. et Ricardo filio eius. et Rogero de Heglestun. Rogero de sancto
Germano. Radulfo de Gunewarter. Edwardo de Stanfordham. Admundo de Setun. Roberto de Rue.
Roberto de Hindeleie.

CHARTER OF EUSTACE DE BALIOL CONFIRMING THE CHURCH OF
BILBELL STOCKTER TO THE CONVENT OF DURHAM

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£16 6s. Her first husband was probably a relation of Geoffrey fitz Piers, earl of Essex, who is a witness to the confirmation deed of Eustace to St. Mary's, York. Her christian name appears to have been Petronell. On October 17th, 1198, Eustace de Bailliol and Petronell his wife quit-claimed land in Sauteharp, Wiltshire, to Gaufrid fitz Peter, whose tenants they were, receiving from him thirty marcs of silver.[1] According to the pedigrees he had three sons, Hugo, Ingelram, and Bernard[2]; an entry in the *Liber Vitae* of Durham adds a fourth, Henry.[3]

He appears to have died 1209-1210, being succeeded by his son Hugh, who in 1211-1212 was discharged by the sheriff of Northumberland of his scutage of thirty fees.[4] Whether his father was deceased before 1209 or not, Hugh had a suit in that year with Robert Bertram about two carucates of land in Pentemore, in the course of which, about Easter, Geoffrey Mauduit, Roger de Plesseto, David de Buredon, and William fitz Reginald, chose twelve men to hold the great assize between the two litigants.[5] Hugh de Baliol had on February 25th, 1204, before the death of his father, a grant from King John of a fair at Newbigginge on August 23rd and for seven days to follow, and of a market on each Friday in the year.[6]

It may be inferred from this that before then his father Eustace had transferred Newbigging to him. He appears, during his father's lifetime, to have occupied a position of much importance, and to have been in favour with, and of service to, King John. On March 6th, 2 John (1201), the king grants leave to Hugh de Baliol to do as much injury to Radulph de Exold', count of Eu, as he is able, in the war commencing between King John and the king of France, and promises that no distraint shall be made upon him in respect of payment or satisfaction for anything taken from the count of Eu in the same war.[7]

[1] *Pedes Finium*, Pipe Roll Soc. vol. xxiv. p. 15.

[2] These three sons are witnesses to a charter of Eustace, granting land in Middleton. *Original deed*, Muniment room, Streatlam castle.

[3] *Liber Vitae*, Surt. Soc. No. 13, p. 98.

[4] *Rot. Pipae* (Northumberland), 13 John, rot. 18 dorso.

[5] *Curia Regis Roll*, 9-10 John, No. 48, m. 4.

[6] *Rot. Chart. in Turri Londin.* Record Series p. 119 b.

[7] *Rot. Cart. in Turri Londin.* Record Series, vol. i. p. 102. The count of Eu was Radulph de Lusignan, or Issoudun, who had married Alix, daughter of Henry II., count of Eu, and heiress of her brother. Radulph, withdrawing the support he had given to Henry II. and Richard I., kings of England, had gone over to the king of France in the war between him and King John. How Hugh de Baliol was connected with the count of Eu in such a way that he could be distrained upon in his interest, does not appear. 'Et non distringemus ipsum ad faciendam solucionem vel satisfactionem eidem comiti de aliquo quod super eum capit in werra illa.' There is no evidence known to show that Hugh Baliol held under the count of Eu either in Normandy or England, but the terms of King John's charter seem to imply that he was a tenant under the count, who was, therefore, able to levy a distress upon him.

On April 10th, 1213, there was an order from the king to Aimeric, archdeacon of Durham, and Philip de Ulecotes, guardians of the see of Durham, during its vacancy after the death of Philip de Poitou, directing them to restore the castle of Bernard and all other the lands and chattels of Hugh de Baliol which they had retained.[1] How it came about that these had been seized in the interest of the see of Durham does not appear, but it was probably under some claim of palatine rights. The extent and value of the great fees of the house of Baliol at the time is shown by the entry on the Pipe Roll, 13 John (1211-1212), where Hugh de Baliol answers for the large amount of thirty knight's fees. He held Bywell by the service of five knight's fees, and providing thirty men for guarding Newcastle, as his ancestors had done, since William Rufus gave them feoffment of the barony.[2] An entry occurs in the Patent Rolls of 1213 which was probably connected with his over-sea estates. On September 17th, the king writes to the bailiffs of his sea ports and the keepers of the English galleys, informing them that he has allowed Hugh de Baliol for this one term to send a ship beyond seas with his own goods and merchandise. The permission was to last until Christmas.[3]

Hugh de Baliol, with his brother Bernard, was a staunch supporter of King John in his contest with the baronial party. He has in consequence incurred the bad report of the chroniclers of the time, all of them monastic, Matthew Paris giving the two brothers a specially evil name, calling them 'consiliarios iniquissimos.'[4] It is possible that Hugh was not so black as he has been painted, and there are some acts of his life which appear to warrant a more favourable estimate of his character.

King John was at Barnard Castle, January 30th, 1216, on his journey southwards, when he granted to Hugh de Baliol the custody of the castle of Whorlton in Cleveland, with other lands and properties of Robert de Meisnille, then in the king's hands.[5] Hugh Baliol did not retain the Whorlton barony for long, the death of John and the succession of

[1] *Rot. Lit. Claus.* 14 John, Record Series, vol. i. p. 129. [2] *Testa de Nevill*, p. 392. See ante p. 18.

[3] *Rot. Lit. Pat.* 15 John, Record Series, vol. i. p. 104.

[4] *Matth. Paris*, Rolls Series, vol. ii. pp. 532-3.

[5] *Rot. Lit. Pat.* Record Series, vol. i. p. 164 b. 'Rex Gaufrido de Nevill camerario, salutem. Mandamus vobis quod liberetis dilecto et fideli nostro Hugoni de Bailloel castrum de Hweruelton, cum omnibus terris et pertinenciis suis, quae fuerunt Roberti de Meisnille, quae eidem Hugoni commisimus, habenda quamdiu nobis placuerit. Et in hujus &c. Teste me ipso apud Castrum Bernardi xxx die Januarii anno regni nostri xvii^mo. (1216).'

Henry III. having brought about a change of relations between him and the crown. On October 31st, 1217, Henry III. ordered the sheriff of Yorkshire to give to the archbishop of Canterbury the same seisin of the barony and its appurtenances, once belonging to Robert de Meisnille, as the archbishop had before the war, and of which, as he said, he was deseised by the occasion of war.[1] On December 2nd, in the same year, the king notified to the same sheriff that he had ordered Baliol to give seisin to Stephen (Langton) archbishop of Canterbury, in whose fee they were, of all the lands, fees and tenements which once were Robert de Meisnille's. In case Baliol did not obey the precept, the sheriff was himself to give seisin to the archbishop.[2] On May 13th, 1218, the archbishop had not had seisin given him, and the king ordered the sheriff to put the archbishop in possession without delay, and that if any persons resisted him they were to give security, and find valid sureties to appear before the king's council at Westminster to show cause why they had resisted the king's precept.[3] Things seem to have been brought to an issue and Baliol to submission, by a writ issued March 9th, 1219, when the sheriff of Hertford was certified that a time had been given to Hugh de Baliol to deliver to the archbishop the land once belonging to Robert de Meisnille, which Baliol held by reason of having the custody of his heir.[4] The time given having elapsed, and the land being still retained, by the same writ, the sheriff was directed to give the archbishop seisin of the manor of Hiche (Hitchin), in the fee of Baliol, to be held as long as Baliol kept possession of the Meisnille barony which he had been repeatedly ordered to surrender.[5] John had also granted him lands in Rutland, which had belonged to Richard de Umframville.[6]

In conjunction with Philip de Ulecotes, he was given the charge of all the land between the Tees and Scotland with the castles, the king providing knights and men sufficient for the protection of the country.[7] Shortly after this an event of some importance, which has a tragic incident attached to it, occurred at Barnard Castle. Alexander, king of Scotland, in alliance with Louis of France, to whom the pope

[1] *Rot. Lit. Claus.* vol. i. p. 339. [2] *Ibid.* vol. i. p. 346. [3] *Ibid.* vol. i. p. 361 b.

[4] Feb. 2, 1213, Stephen de Turneham was ordered to give over to Hugh de Gurnaco the custody of the son and daughter of Robert de Meisnille, whom he had in charge. *Rot. Lit. Pat.* vol. i. p. 96 b. [5] *Rot. Lit. Claus.* vol. i. p. 389. [6] *Ibid.* 17 John, Record Series, vol. i. p. 252 b.

[7] *Matth. Paris*, vol. ii. p. 641.

had granted the kingdom of England, had invaded the northern province,[1] subjugating all of it except the castles which Baliol and Ulecotes most stoutly defended.[2] He had come through Cumberland, devastating as he went, among other deeds of violence burning Holme-Cultram abbey, and was set down before Barnard Castle with the intention of laying siege to it. 'And while he was thus occupied, one within discharged a cross-bow, and strake Eustace Vesey (Eustace de Vesci), which had married his (Alexander's) sister, on the forehead, with such might that he fell dead to the ground, whereof the king and all his nobles conceived great sorrow, but were not able to amend it.'[3] King John, not long before his death, on June 5th, 1216, committed to Hugh de Baliol the important trust of the castles of Durham, Norham, Mitford, Prudhoe, Newcastle-upon-Tyne, and especially Bamburgh, and all the other castles, custodies, and bailiwicks, which Philip de Ulecotes, who was expected to, but did not then, die, had in charge.[4]

In the following year (1217) William, earl of Salisbury, was ordered to give Hugh Baliol seisin of the manor of Mere (Wiltshire), so that he might be in a position to resist any claim which might be made to it.[5] The manor was appurtenant to the castle of Devizes (Divis), and was accustomed to be committed to those who held it, for their maintenance when in the king's service.[6] In connection with this a letter[7] from Philip de Ulecotes to Hubert de Burgh, justiciar of England, possesses much interest. It is attributed by the editor (Rev. W. W. Shirley) to the early part of the year 1218, but it more probably preceded the order to the earl of Salisbury, made in 1217. He tells him that Hugh de Baliol prohibits the castle of Mitford[8] being given to anyone unless his rights in the manor of Mere, now withheld by the earl of Salisbury, are restored to him. And further, that if the castle is made over,

[1] The invasion is stated to have been caused by the threats of Philip de Ulecotes and Hugo de Baliol to devastate Scotland 'causa ultionis.' *Chronicon de Lanercost*, Maitland Club, p. 25.

[2] *Matth. Paris*, vol. ii. p. 663.

[3] *Matth. Paris*, vol. ii. p. 666. Lambarde, *Dictionarium Angliae*, p. 45, translating from, and adding to, Matthew Paris.

[4] *Rot. Lit. Pat.* 18 John, Record Series, vol. i. p. 186.

[5] *Rot. Lit. Claus.* 1 Henry III. Record Series, vol. i. p. 314 b.

[6] *Rot. Lit. Claus.* 3 Henry III. Record Series, vol. i. p. 400 b. The entry says nothing about Devizes, but that the grant was made to sustain him while he was in the king's service. It was to last 'usque ad quartum decimum annum aetatis nostrae completendum.'

[7] *Royal Letters*, No. 695; *Royal and Hist. Letters*, Shirley, Rolls Series, vol. i. p. 11.

[8] Roger Bertram was in rebellion against King John in 1214, when his estates were forfeited and given to Philip de Ulecotes, then sheriff of Northumberland, and one of John's principal agents. The castle was, at the time of this letter, in the hands of Hugh de Baliol in consequence of John having in 1216, given the custody of it to him.

he will withdraw from the king's service. The writer of the letter also says that it is not in his power to deal with the castle, as the knights and servants of Hugh de Baliol hold it, and cannot easily be put out without the order of Hugh. He advises that the manor of Mere be given up to Baliol, and then, controversies and disagreements being set at rest, the castle may be restored to Roger Bertram. The connection of the Baliols with Mere was continued through the time of three members of the family, Joscelin, Eustace, and Hugh. The first record is contained in the Pipe Roll for Wiltshire of the year 1156, when Joscelin de Baliol[1] had £36 blanch of land in Mere, with the hundred.[2] He appears in the sheriffs' account, under the same terms, until 1167-8.[3] In the sheriffs' account of the following year, the name of Eustace occurs as the holder.[4] The relationship is not certain, but if, as seems probable, Joscelin was a brother of Bernard I., Eustace was his great nephew and heir.

In 1205, King John confirmed a grant of land in Burton and pasture in Gaveldon, and other rights to Everard de Burton and his wife Matilda, which Joscelin de Bailleul had granted to Galfrid le Panmere, father of Matilda, and concerning which there had been a plea before the justices, and a final concord made between Burton and his wife and Eustace de Baylloel, great nephew and heir (*nepos et heres*) of Joscelin.[5] If this supposition with regard to the relationship between the holders of property in Mere is correct, it explains how Eustace succeeded Joscelin at that place. In 1215, it was given by King John to William Talebot, having been lately held by Eustace de Baliol.[6] It was again granted, February 5th, 1222, to Lucas de Rumare, saving the chattels of William Talebot and the grain he had sown.[7] In the interval in the year 1217, seisin had been ordered to be

[1] He was high in the favour of Henry II., and occurs at the time he had the grant of Mere frequently as a witness, in association with great officers of the crown, to charters of the king. He was, no doubt, the same Joscelin, who, in 1166, held land in Gloucestershire of the fee of Henry de Novo Mercato. *Red Book of the Exchequer*, p. 296.

[2] *Great Rolls of the Pipe*, 2, 3, 4 Hen. II. ed. Hunter, p. 57, Record Series. 'Et Joscel' de Baill' 36li. bl. in Mera cū hundr'.' The entry may be explained thus. The sheriff, who had the ferm of the county from the king, in his return subtracts from his payment into the exchequer such profits as had been withdrawn from him, either by necessary expenses, ancient and current charges, or deductions arising from special grants of the king. Baliol had given him an estate in Mere, which, according to what is said in Philip de Ulecotes' letter, seems to have comprised the manor, of the value of £36 blanch (blanched money) a year, together with the hundred, that is, with the profits of the courts. The sheriff, therefore, in his yearly account, credits himself with the deduction of £36 and the court issues made from the amount of ferm of the county due to the crown.

[3] *Rot. Pipae*, 14 Hen. II. Pipe Roll Soc. vol. xii. p. 157. [4] *Ibid.* 15 Hen. II. vol. xiii. p. 18.

[5] *Rot. Chart. in Turri Londin.* Record Series, vol. i. p. 152 b.

[6] *Rot. Lit. Claus.* 17 John, Record Series vol. i. p. 230. [7] *Ibid.* 6 Hen. III. Record Series, vol. i. p. 487 b.

given to Hugh de Baliol, but what the issue of that order was is not apparent, nor is it on record that the Baliols after that had any interest in Mere.

On September 23rd, 1217, in conjunction with the archbishop of York, the bishop of Durham and others, Hugh de Baliol was commanded to assist Robert de Veteriponte, to whom the king, Henry III., had committed the castle of Carlisle and county of Cumberland, in recovering from Alexander, king of Scotland, the castle of Carlisle, and the lands and prisoners he had taken during the war between King Henry and Louis, king of France.[1]

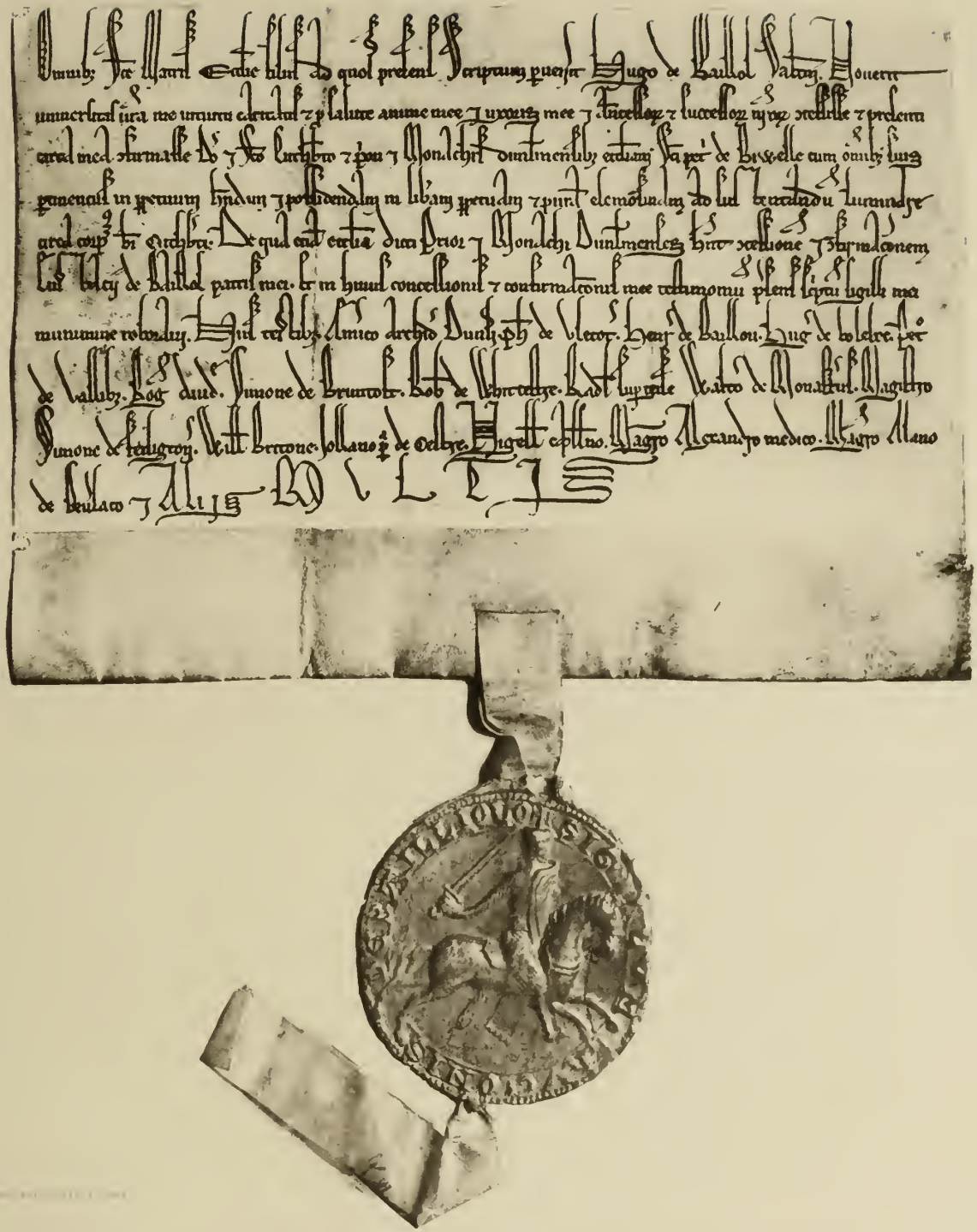
After the restoration of peace in 1217, many of those who, during the disturbed state of war, had lived by rapine, continued to hold the castles, lands, and other possessions of bishops and lords which they had seized, against the prohibition of the king and the will of the owners.[2] Among them were Hugh de Baliol, William, earl of Albemarle, and Fawkes de Breauté, one of the late king's worst advisers, a man without bowels of mercy as he is described. This association, and the participation in the acts of violence with which he was charged, lend some countenance to the accusation brought against Hugh de Baliol in regard to his relations with the evil acts of King John, and must necessarily have an effect in estimating his character.

About two years later there was an occurrence in connection with Hugh de Baliol's Teesdale lordship which is of some interest and importance. The kings of England had a mine in Tynedale, called indifferently the mine of Carlisle and the mine of Alston (Aldeneston), which was an appendage of the castle of Carlisle, and for the profits of which the constable of the castle was responsible. In January, 1219, Robert de Veteriponte laid a complaint before the king's council against Hugh de Baliol that he had prevented the miners from going to the mine, as they had been accustomed, a proceeding which was the cause of damage to the king. Baliol was ordered to cease from this interference, so as to make it unnecessary for the king to take action against him.[3] Whether Hugh obeyed the mandate or not does not appear, but the same complaint was made during the time of his son John. In December, 1229, the

[1] *Rot. Lit. Pat.* 1 Hen. III. m. 3.

[2] *Matth. Paris*, vol. iii. p. 33.

[3] *Rot. Finium*, 3 Hen. III. m. 4 dorso.



CHARTER OF HUGH DE BALIOL CONFIRMING THE CHURCH OF
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sheriff of Northumberland was commanded to see that by bail and sureties John de Baliol appeared before the barons of the Exchequer to show cause why he prevented the king's miners of Cumberland from passing over the moor of Teesdale to the king's mine.[1] In a case, May 13th in the following year, between the king and John de Balliol and Nigel de Mubray, Balliol's bailiff was ordered to allow the Cumberland miners to have free passage through all his master's lands, as well forest as other land, to buy victuals. The king, however, allowed that as long as John de Baliol was in his service beyond seas the pleas between the king and him were to be respited, and that during the same time the miners, not being able to work freely, should be excused five marcs of ferm.[2] The land that Baliol had closed against the miners was the forest and other parts of Marwood at the head of Teesdale, a district abutting on the forest of Alston, and in near proximity to the mine.[3] The reason for this interference on the part of John de Baliol is not far to seek, for the miners, no doubt, had taken the same liberty to cut down wood in the king's name, for other purposes than the use of the mine, as they did in the case of Henry de Whiteby and his wife Joan, who in 1290 impleaded Patric del Gile and twenty-six other miners of Alston for cutting down their trees to the value of £40.[4]

Hugh de Baliol added his own confirmation to that of his father, of the church of St. Peter at Bywell to the convent of Durham,[5] giving also, by another charter to Durham, for the use of their church of Bywell, the tithes and obventions of a new assart between Whittonstall and the river Derwent (*inter Quiketonestall et Derewente*), which afterwards became the hamlet of Newlands, and common pasture in his lands '*sicut decet.*'[6]

[1] *Memoranda*, L. T. R. 14 Hen. III. m. 3. [2] *Ibid.* 14 Hen. III. m. 6 dorso.

[3] Henry III., by two charters, granted large privileges to his miners of Cumberland. He took them under his protection, their men, lands, goods, rents, and all other their possessions, commanding his bailiffs and others to maintain, protect and defend them, neither inflicting on them, nor permitting to be inflicted, any offence, injury, loss, or trouble, They were to have the same liberties as they had in the time of his predecessors, kings of England. The sheriff of Cumberland was commanded to cause all the miners in his bailiwick to dig and mine in the king's mine, as they had been accustomed to do, and to require merchants in his bailiwick to repair to the mine with victuals for the miners. *Rot. Lit. Pat.* 18 Hen. III. m. 7; 20 Henry III. m. 13; 21 Hen. III. m. 10.

[4] Coke's *Institutes*, second part (1662); Mich. 18 Edw. I. banco rot. 139.

[5] *Durham Treas.* 2da 2^{dae} Spec. No. 8. The seal of Hugh de Baliol still remains attached to the charter. It is round, 2¼ inches in diameter. The device is equestrian; a knight, holding a sword in right hand, is galloping to right. He wears a flat-topped helmet, and a shield level with his chin on his left arm. The shield bears the arms of Baliol, an orle, upon it. Long housings and the sword sheath hang below the horse's belly. ✠ SIGILLVM HVGONIS DE BAILLIOLO.

[6] *Durham Treas.* 2da 2^{dae} Spec. No. 9. An armorial seal is appended to the charter. It is round, 1¼ inches in diameter, of rather rude work. It bears on a shield an orle. ✠ SIGILL HVGONIS DE BALIOLO.

He confirmed the old grant of Gainford and other places to St. Mary's at York. To the abbey of Whitby he confirmed the grant of the churches of Ingleby and Kirkby, given to the monks by his grandfather Bernard.[1] He gave to the monks of Rievaux ten acres of arable land of his demesne, and common pasture for eight oxen in Neasham (Neusum).[2] He gave to the priory of Hexham the homage of John de Swyneburne-Est, with 12d. rent from his capital messuage of Est Swyneburne, and a tithe grange and garden at the same place.[3] To the knights of the Temple he confirmed the vill of Westerdale, which was further confirmed by King John.[4]

Hugh de Baliol has suffered so much at the hands of those who have left an account of the stormy period of our history through which he lived, that it is a pleasure to record some of the actions which seem to give a more favourable aspect to his character. A safe conduct granted by King John, February 15th, 1216, to Robert de Ros and Peter de Brus, to come to him without arms to speak of making their peace, appears incidentally to testify to the good character of Hugh de Baliol and to the creditable nature of his associations. For their greater security, the king desired Aimeric, archdeacon of Durham, Wido de Fontibus, and brother Walter Templarius, head of a preceptory of Templars (*praeceptor in partibus Ebor.*), to accompany Ros and Brus, Templarius being described as one of the companions (*unus de sociis*) of Hugh de Baliol.[5] The manner in which he acted towards the burgesses of Barnard Castle shows that he was possessed of a liberal and considerate disposition. It indicates a desire to lighten the burdens of his men and to add to the improvement of their condition in regard to the requirements of daily life. But he went further than that on the lines of social progress by granting them privileges which ensured the stability and enlarged the scope of their position as members of the community which his ancestors had created. It is true that the general spirit of the time was tending to elevate the humbler part of the population, and to create the wish to stand higher and to feel more safe in their several ranks of life. This was more especially the case in the towns, where a growing trade was begetting a longing for greater comfort of living and was generating a demand for more freedom and security. But making every allowance for this, it must be placed

[1] *Whitby Cartulary*, Surt. Soc. vol. i. p. 55. [2] *Cartulary of Rievaux*, Surt. Soc. No. 83, p. 221.
[3] *Priory of Hexham*, vol. ii. Surt. Soc. No. 46, pp. 116, 117; *cf.* vol. iv. of this work, p. 303.
[4] *Rot. Cart. in Turri Londin.* vol i. p. 106 b. [5] *Rot. Lit. Pat.* 17 John, Record Series, vol. i. p. 165 b.

to the credit of the lord of Barnard Castle that instead of resisting a popular and just requirement, which he might have done, he furthered it so far as, within his own limits, he was able to do. This good side of his character may be placed in opposition to the charge that he was the author of evil counsels to the king, and to what Dugdale asserts about 'his wonted course of plundering,'[1] if indeed all these accounts are not so deeply coloured by prejudice as to render their entire acceptance doubtful.

The privileges he granted his burgesses were by no means small ones for the time when they were given, as will be seen from the details. By a charter still preserved in the town's chest at Barnard Castle,[2] he gave the burgesses the whole common pasture and all common rights on the east and north part, within certain specified bounds, restraining them from taking wood from places named in the grant, without the lord's leave. By another deed[3] common of pasture was granted to them and their tenants, living in the town, in the forest of Marwood for all their cattle without agistment or pannage. Every burgess might have his own oven (*furnum*) without paying any rent, but, in case the lord erected one, they were not to have one of their own without permission. Leave was given to put up buildings in front of each burgess house (*possit capere viam ante ostium suum pro domibus suis aedificandis*), and each might collect dung as far as the middle of the road. They were only burdened with a sixteenth part as multure for all corn grown in the town field and ground at the lord's mill, and they could bake at the common bake house, paying one half-penny, the baker finding the fuel.

These privileges may not appear to be of much importance now, when rights, then withheld, have been obtained for all, and when, within the law, a man may do the thing he will, but in the early thirteenth century, when the feudal system was in full operation and the power of the lord was almost paramount, such concessions cannot be regarded as trifling, but were of the essence of things that went to the root of decent living and reasonable maintenance and independence.

Hugh's wife's name was Cecilia,[4] but of her parentage nothing is known. In addition to his successor John and other sons, he had a daughter Ada, who married John fitz Robert, lord of Warkworth, and whose son by her adopted

[1] Dugdale's *Baronage*, p. 523.

[2] The charter, which has an imperfect seal attached, is printed in Hutchinson's *History of Durham*, vol. iii. p. 234; Surtees *Durham*, vol. iv. p. 71. [3] Hutchinson, *Durham*, p. 241; Surtees, *Durham*, p. 72.

[4] *Cartulary of Rievaux*, Surt. Soc. No. 83, p. 221.

his mother's name of Baliol. Her dower was one of more than ordinary importance, comprising the large fee of Stokesley, with all its appendages, including the forest of Basedale; the estate of Lynton, in Northumberland, was also a part of the dower.[1] Some portion of this great estate in Cleveland appears to have remained in the male line of Baliol, for about 1284-1285 the jurors state on an inquest made, that John de Balliolo held *in capite* of the king four fees in Stokeslay, Batherby, Ingleby juxta Grenehowe, Parva Browghton, Dromondby, Kyrkeby, Magna Buskeby, Scoterskelf, Parva Buskeby, Thoraldby and Neweby.[2] Hugh de Baliol died in 1228.

His son John, who succeeded him, owed £150 in the year 1228-9 for relief of thirty knights' fees,[3] 100s. for each fee, which had been held by his father Hugh de Baliol of the king *in capite*; at the same time he was discharged for the scutage of $2\frac{1}{2}$ fees in Hitchin (Hiechen).[4] The next year he had paid £100 into the king's treasury, and having been pardoned £50 by the king's writ he was discharged, but he owed £20 for relief of four fees held of the king in chief in the honour of Boulogne.[5] In April, 1231, he still owed the £20, but was given until Michaelmas to pay it.[6] It was still unpaid April 20th, 1232, when on the non-appearance of his steward, who had guaranteed payment, he was ordered to be distrained for the arrears.[7] Although he was apparently discharged of his relief in 1230, in September, 1231, he had to find sureties (William de Perci, Henry de Perci, Robert de Twenge) for £100 of his relief, reduced to that sum by the king's pardon of £50 of the original sum of £150.[8] On June 3rd, 1230, he had a safe conduct to come and speak with the king, who was at Nantes, and on the 15th he had protection as long as he was in the king's service beyond seas, his brother Eustace being also in the king's service.[9] The next day Hugh de Tylleloy, his knight, and Colin de Fraunkeville, his valet, had a safe conduct for three weeks, going and returning through the king's dominions.[10]

[1] An inquisition of her lands in Northumberland was held at Linton, near Woodhorn, Nov. 16, 1251. *Inq. p. m.* 35 Hen. III.; Record Series, vol. i. p. 9. [2] *Kirkby's Inquest*, Surt. Soc. No. 49, p. 133.

[3] In Northumberland his fees, constituting the barony of Baliol, were the following: 'Newbigginge, Wodehorn cum Lynemuwe et Hirst membris suis, Haliwele, Lynton, Ellington cum Cressewelle et Hayden membris suis, Bechefeld, Nigram Heddon, Staunfordham cum Ulkiston, Nesbite et medietate de Dalton membris suis, Ryhille, Gunwarton cum Swineburne membro suo, Neuton del West, Neuton del Est, Acum, Stellinge, Ovigton, Eltrincham, Mickeley, Quictunstal, Faldirley, Bromley et medietatem de Bywelle cum Stokesfelde.' *Testa de Nevill*, p. 385.

[4] *Rot. Pipae* (Essex and Hertford), 13 Hen. III. rot. 14 dorso.

[5] *Ibid.* 14 Hen. III. rot. 8 dorso. They were at Niweham justa Waledene (Newnham in Ashdon, Essex). *Red Book of the Exchequer*, p. 577.

[6] *Memoranda* Q. R. 15 Hen. III. rot. 6; *Rot. Finium.* 15 Hen. III. m. 6.

[7] *Ibid.* 16 Hen. III. rot. 6 dorso. [8] *Ibid.* 15 Hen. III. rot 7.

[9] *Rot. Lit. Pat.* 16 Hen. III. m. 6, m. 7. [10] *Ibid.* 14 Hen. III. m. 6.

In 1233 he married Devorguil, one of the daughters, and in the end sole heir, of Alan, lord of Galloway, constable of Scotland. This marriage brought him large estates with great influence, which, added to what he had inherited, made him one of the most powerful of the English barons. It was, however, ultimately the cause of the downfall of his house. Alan of Galloway, the representative of a great and ancient Galwegian stock, had married Margaret, eldest daughter and co-heir of David, earl of Huntingdon, son of Henry, earl of Northumberland, and grandson of David I., king of Scotland. In this way his daughter Devorguil came into the line of succession to the crown of Scotland.

One of John de Baliol's estates, the vill of Long Newton, which belonged to him as appurtenant to the barony of Gainford, was the cause of a long standing dispute between him and the bishops of Durham. It originated through Long Newton being in the wapentake of Sadberge, which, since its purchase by bishop Pudsey from Richard I., had become virtually included within the palatinate. The fee granted by William Rufus to Guy de Baliol was held in chief of the king, and Guy's successors appear to have claimed that the homage due from the whole of the lands within the fee was covered by the terms of that grant. The bishops of Durham, on the other hand, claimed that the homage of $5\frac{1}{4}$ knight's fees of the barony of Gainford belonged to them, as held of the palatinate, through the wapentake of Sadberge being absorbed within it. In 1231 an agreement[1] was made between Richard (Poor) bishop of Durham, and John de Baliol, for settling the matter, an object which, on account of

[1] The agreement, which was made at Auckland, Dec. 9, 1231, states that the bishop grants to John de Balliol, subject to certain services and payments, the vill of Lang Newton as his ancestors had held it. Baliol agrees to do suit to the bishop of the wapentake of Sadberge for all lands he has within the wapentake. Baliol further undertakes to do his best that the king shall allow the bishop to have the homage of the fees within the wapentake. The bishop agrees that when he has received the homage he will give up to Baliol all the ancient charters of Newton. The document, which is of a very interesting character, is transcribed in vol. iv. *Hunter MSS.*, Durham Cathedral Library, p. 289. It is said to be copied from the original. 'This deed is under seal remaining with my lord of Durham himself, and was taken out of the iron chest by Mr. Archdeacon Cradock' (archdeacon of Northumberland, 1604-1619). It is unknown where it now is, and probably, like many valuable documents of the see of Durham, it has been recklessly, and without any reasonable cause, destroyed by those who, it might have been thought, would have jealously preserved the muniments of their predecessors. The document is of so much interest that it seems desirable to print it in full. 'Convenit inter Dominum Ricardum Dunelm. Episcopum et Dominum Johannem de Balliol de manerio de Lang Neuton, videlicet, quod dictus dominus Episcopus concessit praefato Johanni et heredibus suis pro homagio et servicio suo totam villam de Lang Neuton cum pertinenciis, sicut antecessores sui habuerunt et tenuerunt. Ita tamen quod ipse et heredes sui faciant servicium quartae partis feodi unius militis pro unica medietate villae de Neuton, et pro alia medietate ejusdem villae solvent dicto domino Episcopo et successoribus suis decem libras sterlingorum, scilicit, centum solidos ad Pentecosten et centum solidos ad festum S. Martini in hieme. Dictus autem Johannes et heredes sui solvent dicto

the preciseness and stringency of its terms, it seemed well qualified to accomplish. It does not appear, however, to have effected the purpose for which it was intended. Whatever was the cause, whether Baliol did not carry out his engagement, or for some other reason, the dispute continued and ultimately resulted in violent proceedings against the bishop by John de Baliol, his relations and men. On April 11th, 1234, he was commanded to do homage and service to Richard Poor, bishop of Durham, for $5\frac{1}{4}$ knight's fees in the wapentake of Sadberge, which pertained to the custody of Newcastle-upon-Tyne, and for which castle-ward was due from the bishop. He was given time to show, if he could, that he was free by charter of the king, or of his predecessors, and meanwhile the sheriff of Northumberland was not to distrain.[1] He was commanded, October 25th, 1241, to do homage for the same fees to bishop Poor's successor, Nicholas de Farnham, so that the bishop should be no longer troubled.[2] He appears to have had difficulties with the former bishop either upon this or some other account, for on July 14th, 1235, he had the king's pardon for twenty marcs in which he had been fined for transgressions done to the bishop against the king's peace.[3] His obligations for money payments do not seem to have been fulfilled, for on April 29th, 1237, on the complaint of the sheriff of Northumberland that John de Baliol had not kept his terms, and has little in the county (a statement which is

domino Episcopo et successoribus suis sine difficultate aliqua wardas et scutagia de quinque feodis militum et unius quarterii, quae dictus Episcopus warrantizabit donec habuerit homagium de eisdem feodis. Faciet autem dictus Johannes et heredes sui et homines illorum dicto domino Episcopo et successoribus suis sectam wapentari (*sic*) de omnibus terris quas habet infra wapentagium de Sadberg, sicut alii patres (pares?) sui faciunt in eodem wapentagio, et antecessores sui facere consueverunt. Praeterea dictus Johannes juravit personaliter et jurari fecit per dominum Johannem filium Roberti, domini Henrici (*sic*) de Balliol, Walterum de Fontanis, Eustachium de Balliol, et faciet jurari per dominum Ingelramum de Balliol, quod ista convencio fideliter servabitur, et istud idem fiet ex parte domini Episcopi promissum per Radulphum Dunelm. et Radulphum de Finchall priores, et per Magistrum Willelmum archidiaconum Dunelm. et per Johannem Rumes' senescallum domini Episcopi. Insuper juraverunt dictus Johannes de Balliol et praedicti ex parte sua quod fideliter laborabunt et sine fraude et dolo per se et amicos suos erga dominum Regem sine grandibus expensis ut dictus Episcopus habeat homagium de Gayneford et de feodis supradictis, quae sunt in wapentagio de Sadberg spectantibus ad baroniam de Gayneford. Et si dictus Rex praeceperit ut faciat dicto Episcopo de omnibus praedictis homagium sine difficultate faciet. Et si dictus Rex quaesiverit quod intelligit de homagio et quid illud habere debeat, respondebit secundum veritatem quantum poterit inquirere et discere ab hominibus patriae fidedignis, et istam veritatem bona fide et sine dilatione diligenter inquiret. Postquam autem dictus Episcopus homagium dicto Johanni de Balliol de praedictis quinque feodis militum et uno quarternio receperit et habuerit, omnes antiquas cartas super villam de Neuton confictas, quas inde habet, dicto Johanni bona fide et sine difficultate restituet. Datum apud Awkland, A° D^ni^ 1231, quinto Idus Decembris (December 9th) praesentibus magistris archidiacono Dunelm. et Roberto de Ambian, domino Jordano Harun, Hugone de Capella, Jordano de Alden militibus et aliis.'

[1] *Rot. Finium* 18 Hen. III. m. 8.

[2] *Rot. Lit. Pat.* 25 Hen. III. m. 1.

[3] *Rot. Lit. Claus.* 19 Hen. III. m. 7.

remarkable, considering the large estates he possessed in Northumberland), the sheriff was ordered to apply to the guardian of the bishopric of Durham, then in the king's hands after the death of bishop Poor, to distrain upon his estates there.[1] About this time, in consequence of the death of the earl of Chester and Huntingdon, to whom his wife, Devorguil, was co-heir, numerous entries occur in the Close rolls connected with the inheritance. John de Baliol and his wife had seisin given them of the manors of Luddingland and Thorkesey, and of the farm of the vill of Jernemue (Yarmouth), until the king assigned them a reasonable exchange for Devorguil's share of the earl's inheritance,[2] which he had agreed to do within a year, by an engagement made February 6th, 1238.[3] On June 15th, 1243, he had respite from the king of 500 Angevin pounds of a prest made to Hugh de Baliol, his father, in Poitou, before the loss of Normandy,[4] and on the same day he came before the king's council and asked that the barons of the Exchequer should take into consideration if he ought to answer to the king for part of the debt owing from John, the late earl of Chester. He stated that he and his wife had no part of the earl's heritage assigned to them, not even a sure exchange, having nothing more than some lands in lease.[5] The inheritance of Devorguil, in her part of the lands of John, late earl of Chester and Huntingdon, seems to have been provided for in 1244, when, on May 12th, writs were issued to the sheriffs of Huntingdon, Northampton, Bedford, Leicester, and Lincoln to distrain certain persons in their several counties to do homage to John de Baliol for their fees, nineteen and three-quarters in number, assigned to him and his wife;[6] on May 22nd a similar writ was issued to the sheriff of Cambridge, for the service of one knight's fee, and to the sheriff of Leicester for the service of nine fees and three-quarters.[7] In 1245-1246, a valuable property in Yorkshire, belonging to the heritage of Christiana, wife of William, earl of Albemarle, came to him through his wife. In that year Robert de Creppinges accounted for £26 13s. 1d. from the manor of Driffield, except tallage from July 22nd to October 16th, the time which had elapsed before he had handed over

[1] *Memoranda* Q. R. 21 Hen. III. m. 10.
[2] *Rot. Lit. Claus.* 22 Hen. III. m. 22. *Rot. Lit. Pat.* 22 Hen. III. m. 11.
[3] *Rot. Lit. Pat.* 22 Hen. III. m. 10.
[4] *Memoranda* Q. R. 27 Hen. III. m. 15 dorso.
[5] *Rot. Lit. Claus.* 27 Hen. III. pt. 2, m. 4.
[6] *Ibid.* 28 Hen. III. m. 11.
[7] *Ibid.* 28 Hen. III. m. 10.

the manor to John de Baliol.[1] The extent and value of these lands is set out in the inquisition held at Driffield, November 24th, 1268, after the death of John de Baliol. The jurors state that the lands were not vested in Sir John de Balliol, but were of the heritage of Dervorgilla, his wife, and had been given to Sir Hugh de Baliol, his son and heir, before the death of his father John.[2]

In 1244 he was appointed by the barons in the parliament at London one of the twelve deputed to consider the king's proposal for a subsidy to pay the debt for the war in Gascony,[3] and in the same year he was one of the barons selected to send to the pope for his confirmation of the charter of Alexander II., king of Scotland, engaging himself to his liege lord, Henry III., that he would make no alliance with the enemies of that king.[4] John de Baliol was appointed, with Robert de Ros of Wark, joint regent of the kingdom of Scotland in 1251, on the marriage of Alexander III. with Margery, daughter of Henry III.[5] He and Ros were, however, deprived of the office in 1255 on a charge of treason, malpractices, and bad treatment of the child queen.[6] On September 20th, 1255, Alexander, king of Scotland, wrote to Henry III., telling him that, by his own advice and that of his council, he had dismissed from his council and from their offices, on account of their faulty behaviour, a number of persons, John de Baliol being amongst them.[7] Subsequently, on account of the services his father had rendered in arms and otherwise to King John when he was in difficulties, and for a fine of £500, part of which was remitted, John de Baliol made his peace with the king.[8] On September 13th, 1257, being about to go into Scotland, he had protection from King Henry, which was to last until the Whitsunday following.[9] About this time he is stated to have acted in a manner that might scarcely have been expected

[1] *Rot. Pipae*, 30 Hen. III. m. 9 dorso.

[2] *Inq. p.m.* 53 Hen. III. No. 43.

[3] *Matth. Paris*, vol. iv. p. 362.

[4] *Ibid.* vol. iv. p. 384.

[5] *Flores Hist.* ed. Luard, Rolls Series, vol. ii. p. 378; Rymer's *Foedera*, vol. i. pl. 2, p. 771.

[6] *Matth. Paris*, vol. v. pp. 501, *seq.*

[7] *Rot. Lit. Pat.* 39 Hen. III. m. 2.

[8] *Matth. Paris*, vol. v. p. 507. Matthew Paris gives 1255 as the date of the time when Baliol made his peace, but from the entries on the Patent Rolls it does not appear to have taken place until two years later. On August 12th, 1257, the king took John de Baylol into favour and disclaimed all anger against him, on account of transgressions and annoyance he had committed against the king of Scotland and his wife, Margaret, Henry's daughter. *Rot. Lit. Pat.* 41 Hen. III. m. 2. Two days afterwards, on August 14th, the king remitted all action against him on the same account, and Baliol was fined £500. *Rot. Finium*, 41 Hen. III. m. 3. He also owed 100 marcs for an amercement made by the Justices errant in Northumberland; he had then paid 550 marcs, and the remainder was remitted to him in March, 1258. *Rot. Finium*, 42 Hen. III. m. 9. *Rot. Lit. Pat.* 42 Hen. III. m. 11.

[9] *Rot. Lit. Pat.* 41 Hen. III. m. 2.

of him, and which seems inconsistent with his character, but as only one incident in the case is recorded it would be unfair to judge him adversely upon such imperfect evidence. On August 13th, 1255, the king wrote to John de Baliol in consequence of a complaint made by Walter de Kirkham, bishop of Durham, and on the 18th of the same month he was ordered to come to the king and at once deliver up the castle of Carlisle.[1] Four days afterwards, on August 22nd, he was ordered to deliver it to Adam de Chartres on behalf of Robert de Brus, to whom the king had committed the castle of Carlisle.[2] He was charged with having forcibly taken and held the church of Long Newton,[3] on account of which the bishop had excommunicated his men. Complaint was also made that Eustace and Joceline de Baliol, John's brothers, with others, who were concealed in a wood, had sent out thence their knights and squires who had grossly insulted the bishop and his retinue. They were further charged with assaulting the bishop's attendants with swords and other weapons and with carrying off four of them as prisoners, ultimately confining them in the castle at Barnard. The king ordered Baliol to release the men or to take the consequences. A writ in the same terms was issued against Eustace Baliol, and the constable of Barnard Castle was directed to set the bishop's men at liberty.[4] John Baliol appears to have made satisfaction, for in the same year he had an agreement with the bishop of Durham and the prior of Tynemouth, whose churches he is charged with having damaged. There is a story in the *Lanercost Chronicle* about a baron of the bishopric of Durham, a person most notable throughout all England, who is stated to have committed acts contrary to the honour of his degree, and against the reverence due to the church. The bishop, Walter de Kirkham, at first failed to bring him to a sense of his iniquitous conduct, but ultimately, by his wise treatment, brought back his erring son to his bosom. So much was his pride subdued that he submitted to be publicly whipped by the hands of the bishop before the door of the cathedral church, at the same time undertaking to assist in the maintenance of scholars studying at Oxford. The incidents of the story all point to John Baliol as the person in question. He was a baron of the bishopric, a man more than ordinarily conspicuous in the affairs of the kingdom, he

[1] *Rot. Lit. Claus.* 39 Hen. III. pt. i. m. 7 dorso.

[2] *Rot. Lit. Pat.* 39 Hen. III. m. 3.

[3] Long Newton was one of the churches afterwards made over by John Baliol II. to Anthony Bek, bishop of Durham.

[4] *Rot. Lit. Claus.* 39 Hen. III. pt. i. m. 7 dorso.

had been charged by the bishop with inflicting grave injuries on the church, and he made gifts to students at Oxford, a series of circumstances which apply to no other lord in the diocese of Durham.[1] Matthew Paris, who is the authority for the agreement with the two ecclesiastics above referred to, also says that he was reputed to be avaricious, and that King Henry, hearing of his wealth made plans to entrap him.[2] That he was wealthy may be inferred from the great extent of his estates, which comprised those he had inherited as well as those he acquired by marriage. At the time of his death he appears to have been in possession of a large amount of property in money, to judge by the evidence of two documents still preserved among the muniments of the prior and convent of Durham.[3] They consist of receipts, from the executors of John de Baliol to the convent of Durham, for money paid in discharge of a debt due from that body. It seems strange to find a feudal lord in those early days acting as a money lender, a position at the time usually occupied by the Jews and the monastic bodies, but the deeds bear testimony that the great ecclesiastical foundation of St. Cuthbert was a debtor to the lord of Bywell and Barnard Castle.

Though Henry III. had been a principal cause of his misfortunes in Scotland, Baliol became subsequently a staunch adherent of the king, doing him good service during the course of the barons' war (1258-65). The estimation in which Baliol was held by the king is shown by his having selected him, with the abbot of Burgh and Roger de Quincey, earl of Winchester, to attend a parliament to be held at Stirling, shortly after Easter, 1258, to which Alexander, king of Scotland, had asked Henry

[1] *Chronicon de Lanercost*, Maitland Club, p. 69.

[2] *Matth. Paris*, vol. v. p. 528. Whatsoever may have been the truth in this matter the chronicler's opinion of John de Baliol was a very bad one. He says: 'Ipse enim Johannes supra quod deceret et animae suae expediret avarus, rapax et tenax, tam ecclesiam de Thynemue quam ecclesiam Dunelmensem diu ac multum injuste vexaverat et enormiter dampnificaverat. Necnon et alias ecclesias ac viros ecclesiasticos ac milites, causis excogitatis et inventis, sibi vicinos laeserat fatigatos juxta illud

"Omnis isque superbus
Impatiens consortis erit."

Similiter autem et avarus, cui sua non sufficiunt alienis intriabit.

[3] The first (*Durham Treasury*, Misc. Chart. No. 3585) is a receipt from Sir Hugo de Euer, miles, and Stephen, rector of the church of Whiteworth, executors of the will of John de Balliol, and Peter de Brandon, attorney of the lady Deuergoylle de Galwethe, for ten marcs sterling. December 10th, 1273. The other (No. 4463) is a receipt from 'Domina Deuergoylle de Galwithya, uxor quondam domini Johannis de Balliolo, Brianus abbas de Dundrayne, Hugo de Euer, Thomas Ranulph, Henricus Spring, Adam de Pincornio, Stephanus rector ecclesiae de Middeford,' executors of John de Balliol, for 1000 marcs sterling in part payment of £1000, in which the convent of Durham was bound to John de Balliol. Three seals are still attached, all that apparently were ever affixed: that of the abbot of Dundrennan, that of Sir Hugh de Eure, and that of Sir Henry le Spring, who is called on the seal Henry de Hectun.

to send some of his prudent and discreet lords, to aid in redressing grievances affecting the king and queen both of England and Scotland and their friends. Provision was made, in case war broke out in Scotland, then in a disturbed state, that they were to be assisted by Robert de Nevill and others.[1] On May 20, 1259, he received another important commission from Henry. He was appointed, in conjunction with Simon de Montfort, earl of Leicester, Richard de Clare, earl of Gloucester and Hertford, and others, to treat with certain persons to be chosen by Louis, king of France, about some disputed questions of land, especially the value of that of the Agenois, and about a sum of money due to Henry from the French king. They had also power to arrange the indemnity to be given to Louis against any action on the part of the countess of Leicester, Henry's sister, which might be brought by her and her children against the king of France.[2] During the previous March, Baliol had received protection from the king until All Saints Day, being about to go beyond sea, possibly in connection with his embassage.[3] King Henry further showed his goodwill and favour towards him by giving him, September 4th, 1260, the wardship of the lands of Walter de Wassingle, lately dead, and the marriage of his son, which was granted in lieu of 200 marcs the king had promised him[4] on account of the good offices he had done on behalf of the king in France and England.[5] John Baliol continued to receive favours from Henry, and on February 21st, 1262, in fulfilment of a promise from the king, in acknowledgment of his services, to provide a marriage for one of his sons or daughters of the value of £500 or up to £1000, Henry gave him the marriage of Robert, the heir of Thomas de Greslay, lately deceased, and of the first born son of Robert. In case the first born son died before Baliol married him to one of his daughters, or should the daughter die before she was able by law to obtain dower from the said heritage, then Baliol was to have the marriage of the next heir of the said first born son.[6] In consequence of Baliol's active interference on behalf of the king, especially on account of his resistance to 'The Provisions of Oxford' agreed upon at the parliament held there in June, 1258, his lands had been seized by the barons in 1263.[7] On

[1] *Rot. Lit. Claus.* 42 Hen. III. m. 10 dorso.
[2] *Rot. Lit. Pat.* 43 Hen. III. m. 8 ; *Foedera*, vol. i. p. 675-687.
[3] *Rot. Lit. Pat.* 43 Hen. III. m. 12.
[4] *Ibid.* 44 Hen. III. pt. i. m. 10.
[5] *Rot. Lit. Claus.* 44 Hen. III. pt. i. m. 5.
[6] *Rot. Lit. Pat.* 46 Hen. III. pt. 1 m. 15.
[7] Dugdale, *Baronage*, vol. i. p. 254.

September 3rd, 1263, his son Hugh having made oath that he and his father would observe the ordinances made at Oxford, the king, by letter, directed the authorities in the several counties where John de Baliol had lands, to restore to Hugh, on the part of his father, all those which had been seised.[1] During the time of the barons' war he was engaged in many transactions, military and others, on the part of Henry, and was present when the king was victorious at Northampton, but having joined the king at Oxford, April 4th, was taken prisoner at Lewes, when King Henry was defeated there, May 14th, 1264. On the same day, John de Baliol had licence from the king to go to his lands with his knights, attendants, horses, etc., and to remain there until St. John Baptist's day next following. This grant appears to show that Henry did not anticipate defeat in the battle then imminent.[2] Baliol was shortly afterwards set at liberty, and became one of the principal instruments in maintaining the king's authority in the north of England, and in curbing the power of Simon de Montfort.

He was governor of Carlisle castle in 1255, and was sheriff of Cumberland for seven years, from 33 Hen. III. to 39 Hen. III. (1249-1255).[3] He was also sheriff of Nottingham and Derby in 1260, 1261, 1263,[4] and on February 12th, 1262, he was appointed keeper of the castle of Nottingham, having 50 marcs yearly out of the profits of the king's mills of Nottingham.[5] He had the custody of the honour of Peverell given him in 1261.[6] That he occupied an important position in Picardy and was estimated for his personal qualities is shown by a transaction in which he played a prominent part with good results. Two lords in Ponthieu, Hugh de Vaudricourt and Drieson de Graussart, were at war, to which the comtesse de Ponthieu, Jeanne de Castille, was anxious to put a stop. By a deed dated March, 1267, she appointed herself and 'Jehans, sire de Bailleul' to arbitrate in the matter. Their action was successful, and the difference between the two parties was terminated by a marriage being brought about between the daughter of the one and the

[1] *Rot. Lit. Claus.* 47 Hen. III. pt. i. m. 3. [2] *Rot. Lit. Pat.* 48 Hen. III. pt. i. m. 13.

[3] The account was in arrear when he ceased to be sheriff, for in the compotus for the county of the 40 and 41 Hen. III., the then sheriff, Remigius de Pokelinton, returns John de Baillol as owing £24 15s. of the profit of the county and £33 6s. 4½d., arising from small ferms. *Memoranda*, Q. R., 41 and 42 Hen. III. m. 17. The sheriff of Essex was ordered to cause Bailiol and Robert de Brus to appear on the quinzane of St. Martin to answer for the debt. Further entries in connection with the matter are made on the *Pipe Roll* (Essex), 44 Hen. III. m. 7, dorso, and *Memoranda*, Q.R. 43 and 44 Hen. III. m. 8.

[4] *Rot. Pipae* (Notts and Derby), 45 Hen. III. rot. 11; 46 Hen. III. rot. 2 dorso; 48 Hen. III. rot. 13.

[5] *Lit. Rot. Pat.* 46 Hen. III. m. 16. [6] *Ibid.* 46 Hen. III. m. 20.

SEALS OF BALIOL.

1. Bernard de Baliol II. Seal attached to a confirmation of his father Bernard's grant of liberties, etc., to his burgesses of Barnard Castle. Preserved in the town chest of Barnard Castle.

2. Bernard de Baliol II. Seal attached to a grant by Bernard de Baliol to St. Mary's, York, of the churches of Gainford, Castle Barnard, and Middleton. Cottonian Charters, v. 75.

3 Hugh de Baliol, son of Eustace. Seal attached to a grant of tithes to the Prior and Convent of Durham. *Dur. Treas.* 2da 2dae Spec. No. 9. Described in the present volume, p. 37, note 6.

4. Hugh de Baliol, son of Eustace. Attached to a grant of land in Bromley to Gilbert, son of Alden de Hindeleya. *Dur. Treas.* Misc. Chart. No. 345. Described in the present volume, p. 144, note 3.

5. John de Baliol (1228-1268). Attached to a grant of Whittonstall to Guy de Araynes. *Dur. Treas.* Misc. Chart. No. 6909a. Described in the present volume, p. 179, note 3.

6. John de Baliol (1228-1268). Attached to a grant of common pasture in Marwood to the burgesses of Barnard Castle. Preserved in the town chest of Barnard Castle.

7 and 8. Devorguil, wife of John de Baliol. Attached to deed at Balliol College, Oxford.

9. Alexander de Baliol, son of John de Baliol and Devorguil. Attached to a lease of Whittonstall granted to Roger de Araynes. *Dur. Treas.* Misc. Chart. No. 6909*. Described in the present volume, p. 52, note 2.

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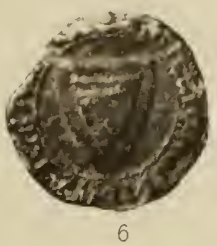

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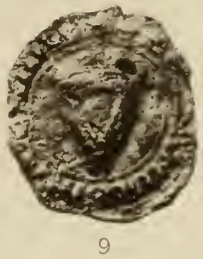

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son of the other.[1] He died about October, 1268, on the 24th of which month the king, wishing to show special favour to Devorgilla, his widow, ordered the prior of Wymundham, his escheator within Trent, to deliver to her the lands which John de Baliol held of her inheritance.[2] On November 12th, the same year, an inquisition was made at Bywell, before Robert de Camera and Robert de Meyneville, sub-escheators, and a jury, of the extent and value of the lands of Sir John de Baliol. They were set out very fully, with the names of the holders of property under him, the nature of the several holdings, and their rents. The jurors found that Hugh de Baliol, his son, was his heir, and was thirty years old and upwards.[3]

A charter[4] still extant, which he granted to the burgesses and free tenants of Barnard Castle, is chiefly concerned about an exchange of land to enable him to increase the size of his park near the castle. Among the provisions is one enacting that the burgesses and free tenants were not to cut wood, either dry or green, nor to dig in the turbary or moor included within the boundaries set out in the deed. He also founded and endowed a hospital at Barnard Castle, dedicated to St. John the Baptist.

The greatest of his beneficent acts, the outcome of a liberal and enlightened conception, was the design he entertained to found a college at Oxford. This generous scheme, which his death left unfinished, was piously and devotedly completed by his wife, Devorguil. A centre of learning, in many ways illustrious through the ages, based on the broad foundation of a true scholastic education, which carries on the tradition of a culture neither narrow in its scope nor too academic in its training, which has borne ripe and ample fruit of many sorts, Balliol College well justifies the foresight of its founder. For some time before his death he had made gifts to maintain poor scholars at Oxford.[5] This appears to show that the encouragement of learning, to be afterwards matured in a permanent and systematic form, had been for some years before his death an intention present to his mind.

John de Baliol, who is described by Matthew Paris, when speaking

[1] Bibl. Nat. Paris. *Pap. de Dom Grenier*, vol. supplém. 298, pièce 36.
[2] *Rot. Lit. Claus.* 52 Hen. III. m. 2.
[3] *Inq. p.m.* 53 Hen. III. No. 43; *cf. Cal. Doc. Rel. Scot.* Bain, vol. i. p. 498.
[4] The charter, to which the seal is attached, is printed in Hutchinson, *History of Durham*, vol. iii. p. 236; Surtees, *Durham*, vol. iv. p. 71.
[5] Henry III. June 22nd, 1266, ordered the mayor and bailiffs of Oxford to pay out of the farm of their town twenty pounds to John de Baliol, which the king had lent him for the purpose of maintaining scholars at Oxford. *Liberate Roll*, 50 Hen. III. m. 6.

of the good service his father Hugh did to the king, as a man rich and powerful,[1] well kept up the reputation of his forefathers as a brave and skilful man of war, as was proved by many of the operations in which he was engaged. He was further endowed with qualities so statesmanlike as to make him an efficient adherent to any cause he adopted, as was fully recognised by Henry III. But the encouragement he gave to learning and the large plan he had conceived to carry into effect his designs in that direction are his greatest claims to distinction and remembrance.

Himself and his memory were devoutly and tenderly cherished by his wife, nor is there anything more touching, even in the most romantic of tales, than what is told of her devotion to a husband to whom she had been united for more than thirty years. She had his heart embalmed and enclosed in a casket of ivory, which during her life was always by her, and when she died, January 28th, 1290, it was ordered to be laid on her heart in the grave at Sweet Heart (*Dulce Cor*) in Galloway, where she rested beside him in the abbey she had founded.[2]

[1] *Matth. Paris*, vol. v. p. 507.

[2] Wyntoun in his *Cronykil of Scotland* (Historians of Scotland, ed. David Laing, vol. ii. p. 321) has related in quaint rhyme, 'How Devorguil that lady spendyt hyr Tresoure devotly.'

Now to rehers it is my will
Sum wertws dedis off Derworgill
That lady wes, as I herd say,
Alanys [douchtyr] off Gallway.
Jhon eldare Ballyoll in his lyffe
That lady weddyt till his wyff,
And on hyr syne efftyr that
Jhon the Ballyoll the Kyng he gat.
Quhen the Ballyoll [at] wes hyr Lord
Spowsyd, as yhe here record,
Hys sawle send till his Creature
Or he wes layd in sepulture,
Scho gert oppyn his body tyte
And gert his hart be tane owt qwyte
Wyth spycery welle savorand,
And off kynd welle flevorand,
That ilke hart than, as men sayd,
Scho bawmyd, and gert it be layd
In till a cophyn off evore,
That scho gert be made tharefore,
Annamalyd and perfytly dycht,
Lokyt, and bwndyn wyth sylver brycht.
And alway quhen scho yhed till mete,
That [cophyne scho gert by hir] sett;
And till hyr lord, as in presens,
Ay to that scho dyd reverens.
And thare scho gert set ilka day,
[As] wont before hyr lord wes ay,
All the cowrssys coweryd welle
In to sylver brycht weschelle
Browcht fra the kychyn, and thare set,
Quhen scho mad hyr to rys fra met,
All thai courssys scho gert then
Be tane wp, and delt til pure men;
Scho send all thai courssys qud,
As scho thame chesyt, to ta thare fude.
This scho cessyt nevyr to do,
Quhill lyvand in this warld wes scho.
Scho ordanyt in hyre testament,
And gave byddyng wyth hale intent,
That that hart thai suld than ta,
And lay it betwene hyr pappys twa,
As detyt thai war than wyth honoure
To lay hyr wyth that on sepultoure.
Scho fowndyt in to Gallway
Off Cystews ordyre ane Abbay;
Dulce Cor scho gert thaim all,
That is Swet Hart that Abbay call;
And now the men off Gallway
Callys that sted the New Abbay
Howsys off Freris scho fwndyt tway:
Wygtowne and Dunde [war] thai,
In ekyng als off Goddis serwyce
Scho fowndyt in Glasgw twa chapellanyis.
And in the Unyversyte
Off Oxynfurde scho gert be
A Collage fowndyt. This lady
Dyd all thir dedis devotly.
A bettyr lady than scho was nane
In all the yle off Mare Bretane.
Scho wes rycht plesand off bewte
Here wes gret teknys off bownte.

There must have been something more than ordinary in the nature and conduct of John Baliol to have begotten such loving tenderness, in times when the accompaniments of life, unsettled, changing, fierce, and cruel as they were, tended to make the heart hard and the feelings blunt. Nor was it merely a sentiment of affection which was so conspicuous in Devorguil; there was in addition the steadfast love which guided her to complete a much desired scheme of the husband to whom she was so heartfully endeared.

His eldest son Hugh succeeded to the large estates of his family but was not long in possession, having died before April 10th, 1271.[1] In the same year an inquisition of the Northumberland lands of his widow was taken;[2] an inquisition of his Bywell lordship being made October 20th, 1272.[3] He married into a great house, his wife being Agnes,[4] daughter of William de Valentia, earl of Pembroke, widow of Maurice Fitzgerald;[5] she married for the third time John de Avesnes, lord of Beaumont, and died in 1309.

On May 4th, 1269, Henry III. granted licence to Hugh Baliol, on account of service done to him and his son Edward, that he might discharge the sum due for his relief by yearly payments of £20.[6] On the same day the king notified to his escheator beyond Trent, that he had remitted to Hugh de Baliol 60 marcs out of the 120 marcs, which the escheator had received of the issues of the lands of John de Baliol, his father, before Hugh made homage, and before the lands were delivered to him. He was ordered to give Hugh the money and to pay the remaining 60 marcs into the king's wardrobe.[7]

Hugh de Baliol only lived about thirty years, dying in 1271. Nothing has been recorded of him except his being present with his father at the battle of Lewes, and a story, evidently a mere invention, that he neglected to pay a sum of money he owed his father's executors for the price of two horses.[8]

[1] *Rot. Lit. Claus.* 55 Hen. III. m. 5.

[2] *Inq. p.m.* 55 Hen. III. Record Series, vol. i. p. 36.

[3] *Inq. p.m.* 56 Hen. III. Record Series, vol. i. p. 38b.

[4] She had for dower the vills of Gainford, Piercebridge, and Headlam. *Reg. Pal. Dunelm.* Rolls Series, vol. ii. p. 798. Agnes de Valentia, by an inquisition taken, under the statute *de quo warranto*, at Newcastle-upon-Tyne in 1293, was found to have right of gallows and other privileges at Gainford. *Plac. de quo warranto*, Record Series, p. 604 b.

[5] Dugdale's *Baronage*, p. 776. *Ex coll.* Robert Glover, 5. (*Somerset Herald*).

[6] *Rot. Lit. Claus.* 53 Hen. III. m. 8.

[7] *Ibid.* 53 Hen. III. m. 7.

[8] *Ballio-Fergus*, p. 24, by Henry Savage, D.D., Master of Balliol College, Oxford, 1668.

Alan, the next brother, had died before Hugh,[1] and the succession therefore passed to his next surviving brother Alexander, who confirmed the grants of his predecessors to the burgesses of Barnard Castle, by a charter which still remains among the muniments of that town.[2] By an agreement made by his father with St. Mary's abbey, to which the church of Middleton belonged by grant of his ancestor, on the 16 kal. Feb. (January 17th), 1274, Alexander de Baliol presented William de Pothou to the rectory, as it is called, of Midelton in Tesdall, vacant by the death of Reginald de Sesselio.[3] He married Eleanor de Genouere, a lady in some way connected with Eleanor, queen of Henry III., who gave them a grant in frank marriage of the manors of Mitford and Felton in Northumberland, with remainder to the crown in case of Eleanor's death without issue.[4] He died in 1278,[5] when Thomas de Normanville, the king's senescal, was ordered to take possession of his lands,[6] the custody of which was shortly after granted to Robert de Eure.[7] His widow[8] married Robert de Stuteville, and was living, again a widow, in 1306.

John de Baliol, the youngest son̄, who succeeded his brother Alexander,[9] was born in 1249, and was twenty-eight years of age when he came into possession of the great Baliol inheritance. In addition to the two baronies of Bywell[10] and Gainford, he inherited large estates in Hertford-

[1] Rymer's *Foedera*, vol. i. p. 579.

[2] Hutchinson, *History of Durham*, vol. iii. p. 239; Surtees, vol. iv. p. 72. The only seal of Alexander de Baliol which appears to have been preserved is a small one attached to a lease, executed in 1272, granting the manor of Wyttonstal and other estates to Roger de Areyns. *Durham Treasury*, Misc. Chart. No. 6909.* It is round, 1 inch diameter. On a shield an orle ✠ SIG . . . . . NDRI . . . . DE BAILL . . . .

[3] *Reg. S. Mariae, Ebor.* fol. 314 v. The presentation was made in accordance with an agreement before the bishop of Durham's justices at Sadberge, between William, abbot of St. Mary's (1239-1244), and Alexander's father, John. After the death of Pothou, John de Baliol, king of Scotland, January 20th, 1294, presented John fitz Henry, and again Edward, king of Scotland, March 25th, 1333, presented his clerk, Walter de Langcestria. It was then vacant by the death of John fitz Henry on December 22nd, 1332. *Ibid.* fol. 315.

[4] *Plac. de quo warr.* 21 Edw. I. Record Series, p. 587.

[5] *Inq. p.m.* 6 Edw. I. Record Series, vol. i. p. 62b. [6] *Abbrev. Rot. Orig.* Record Series, vol. i. p. 32.

[7] *Ibid.* p. 33. [8] She had for dower the vill of Gainford. *Reg. Pal. Dunelm*, vol. iii. p. 56.

[9] *Rot. Fin.* 7 Edw. I. m. 14, m. 21, m. 22.

[10] The *Testa de Nevill* contains a full account of the Northumberland possessions which passed to John de Baliol on the death of Alexander. They were: Newbyging, Wodhorne with Lynmuwe and Hirst, Haliwell, Lynton, Ellyngton and Cressewell, Heyden with its members, Bechefeld, Nigram Heddon, Staunfordham, a moiety of Dalton with its members, Rihill, Gunwarton with Swinborne, Newton del West, Newton del Est, Acum, Stelling, Ovington, Eltrincham, Mickeley, Quictunstal, Falderley, Bromley, and a moiety of Bywell with Stokesfeld. *Testa de Nevill*, p. 385. A seal of John de Baliol, unfortunately imperfect, is preserved in the *Durham Treasury*, Misc. Chart. No. 6909 *. It is attached to a grant of the vill of Quyctunistalle cum nova villa to Guydo de Areynes. Round, $1\frac{7}{8}$ inches in diameter. Equestrian, knight galloping to right, holding sword in right hand, and shield, the inside of which is shown, on left arm. . . . . I LL . . . . NNIS : DE . . . .

shire, Northampton, and other counties in the south of England, many fees in Scotland, and the original lands of the family in France, viz., Bailleul, Dompierre, Harcourt, and Verney. These were to be largely increased on the death of his mother, which took place at Kempston, in Bedfordshire, on the Sunday after January 28th, 1290,[1] by the addition of the lordship of Galloway and of many valuable fees in Scotland and England.[2] The doubtful advantage of the presumptive heirship to the throne of Scotland was included among what he inherited from Devorguil. He was also heir to Christiana, his aunt, the widow of William de Fortibus.

The first incident in his life which has been recorded is an interesting one. The account relates that he received his education in the schools of Durham, a training probably due to his father's love and encouragement of learning. The fact comes out incidentally in a story told by Robert de Graystanes, historian of the church of Durham,[3] in connection with a dispute between Richard de Hoton, prior of Durham, and Ranulph de Nevill, lord of Raby. This occurred about a buck which was due yearly from the latter to the monastery of Durham, as part of the service he was bound to render for the tenure of the lordship of Raby. To recount the tale briefly :

At the feast of St. Cuthbert in September, 1290, when the stag was accustomed to be offered at the shrine of the saint, the lord of Raby demanded that he should dine with the prior, to be served by his own men, and the stag to be cooked by his own people in the convent kitchen. To this the prior demurred, as being contrary to custom. Then the quarrel waxed hot, and from words the disputants came to blows. The stag lying before the shrine, where it had been offered, an attempt was made by Ranulph's servants to take it to the kitchen. The monks resisted, the

[1] *Inq. p.m.* 18 Edw. I. Record Series, vol. i. p. 102. March 12, 1290, Edward I. having received the homage of John de Balliol, son and heir of Dervorgulla de Balliol, ordered the escheator within Trent to give him seisin. *Rot. Lit. Claus.* 18 Edw. I. m. 14.

[2] The extent and value of his inheritance in Scotland may be estimated from the sum £3,289 14s. 1½d. at which he was assessed in 1293 for his relief of his late mother's lands there. *Rot. Lit. Pat.* 21 Edw. I. Rolls Series (1292-1301) p. 12.; *Rot. Fin.* 21 Edw. I. m. 17. In England in addition to Bywell and Barnard Castle, he had Hitchin, Driffield, Kempston, and Fotheringhay, of which some were ancient Baliol possessions, while others belonged to him as heir to his mother. Fotheringhay had descended to her from the Countess Judith, wife of Earl Waltheof, to whom her uncle William the Conqueror had given it. The Countess Judith appears as holding Fodringeia in *Domesday Book*, Record Edition, vol. i. p. 228. In an inquest held 7 Edw. I. (1278-9) the jurors say that, 'Johannes de Ball tenet baroniam de Biwell de domino rege in capite per servitium ix feodorum et dimidii militarium et per quartam partem unius militis.' *Assize Rolls*, Northumberland, Surt. Soc. No. 88, p. 355.

[3] *Hist. Dunelm. Script. Tres.*; Surt. Soc. 9, 74.

men of Raby laying violent hands upon them. The monks then took up arms, the large wax candles they were carrying were used on the heads of the men at arms, the cowl prevailed in the end, the stag remained with the monks, and Ranulph with his followers was driven out. Now comes in what relates to John de Baliol. Lord Nevill invited many of those present to go with him, but when Baliol was asked he refused, saying he had for a long time attended the schools of Durham and had never heard of such a claim as that preferred by the lord of Raby.

He does not appear to have taken any active part in public affairs until after the death of his mother, when he was forty years of age.[1] In the same year, 1290, Margaret the Maid of Norway, queen of Scotland, having died on September 27th, the throne became vacant. Before the death of the Princess Margaret was known, it being then only rumoured, on October 7th, 1290, William Fraser, bishop of St. Andrews, one of the regents of the kingdom, another being Sir John Cumyn of Badenoch, had written to King Edward. In the letter he informed him how the country was troubled and the people in despair at her reported death, that everything was in a disturbed and dangerous condition, and even civil war was apprehended. He added that if John de Baliol came to him it would be well that Edward should treat with him, so that in any case his honour and advantage might be preserved. He added that, if it pleased the king, it was desirable that he himself should come near to the Marches, for the comfort of the people and to prevent bloodshed.[2]

The regents appear to have been favourable to Baliol, but a large party desired to place Robert Bruce on the throne. In that interest an appeal against the regents to King Edward was made by the seven earls of Scotland (an ancient but somewhat dormant constitutional body) and the *communitas* of the kingdom, in which they claimed the privilege of constituting a king and placing him on the throne.[3] Thirteen pretenders put forward their claims, but in the end there were only three who carried their candidature to an issue, John de Baliol, Robert de Brus, earl of Annandale, and John de Hastings. John de Baliol had before then styled

[1] The inquest of his mother's Yorkshire lands, held at Driffield, gives his age as thirty-five years, that of her Northamptonshire estates, held at Fotheringhay, and that of the extent of her vill of Kempston, held at Bedford, make him forty years old. *Inq. p.m.* 18 Edw. I. Record Series, vol. i. p. 102.

[2] Rymer's *Foedera*, ed. 1705, vol. ii. p. 1090; *National Manuscripts of Scotland*, vol. i. No. lxx.; *Royal Letters*, No. 1302.

[3] Palgrave, *Documents illustrating the History of Scotland*, pp. 14-21.

himself '*heres regni Scotiae*,'[1] in a deed dated November 15th, 1290, binding himself to pay to Antony Bek, bishop of Durham, the sum of 500 marcs in case King Edward did not sanction Baliol's transfer to the bishop of the manors in Cumberland, and the manor of Werk in Tyndale, once held by Alexander III. of Scotland. He claimed as heir to his mother, the daughter of Margaret, eldest daughter of David, earl of Huntingdon, grandson of David I., king of Scotland. Robert de Brus claimed as heir to his mother Isabel, second daughter of the same David, and John de Hastings as heir to his grandmother Ada, third daughter of David. The legal right of Hastings, as grandson of the junior daughter, may be set aside as being without force, and was finally disallowed. That of Bruce also, as son of the second daughter, cannot be held to have been a valid one. But at this time the legal status with regard to royal descent had not been settled, and hence the succession came into dispute. A difficulty arose with regard to the authority by which the claims of the various parties were to be examined into and determined, and the person in whom the power should be vested of declaring to whom the succession to the crown had descended. It has been a common belief that it was determined by a party in Scotland to advocate the choosing an arbitrator to adjudicate upon the claims of the various pretenders to the Crown, and that the bishop of St. Andrews, the abbot of Jedburgh, and Geoffrey de Mowbray were sent to Edward to ask him to act in that capacity. There is no evidence to support this view, which, however, considering the state of the country and the scheming of the various interests in the succession, is by no means an improbable one. Anyhow, Edward took steps to strengthen his position, and to ensure for himself, as far as possible, the power to place on the throne a person suitable for his purpose. There were many interests and passions then at work in Scotland which tended to further Edward's plans for obtaining the control of the kingdom, if not its entire subjection to his rule as a part of the dominions of the English Crown. A large and fertile province to the south of the Firth of Forth was English in its population, differing in racial character from the rest of Scotland, and one in language, habits, and temperament with the southern part of the ancient Anglian kingdom of Northumbria. A considerable number of the great feudal lords were the descendants of the Normans and others whom David I. had settled

[1] *Campbell Charters*, British Museum, xxx. No. 9.

in his country, and many of them had themselves possessions south of the border, or were closely tied by relationship to English nobles. Internal jealousies and selfish interests among the great landowners had undermined loyalty to their country, an element of discord which was still further aggravated by the claims to the Crown put forward by the competitors.

On April 16th, 1291, Edward issued a writ to the sheriffs of Yorkshire, Lancashire, Westmorland, Cumberland, and Northumberland, to see that those persons bound to serve, whose names were given, among them being those of John de Baliol, Alexander de Baliol, and Robert de Brus, should have notice to be at Norham on June 3rd, with horses, arms and a full equipment, to meet the king there.[1] He had required the bishops and other clergy, the earls, magnates, and commons of Scotland to meet him at the same place *in quindena Paschae*, Easter-day that year falling on April 22nd.[2] The meeting did not, however, take place until May 10th, when Edward declared that, as superior and supreme lord of the kingdom of Scotland, he would do justice to all, so that, discords and dissensions being subdued, firm peace and tranquillity might be restored. To this claim of superiority he required their assent and recognition. In answer to their request that they might have time to consult the absent prelates, nobles, and commons, and to confer together, the king, telling them that they had been already sufficiently informed, gave them until the next day. The meeting was again deferred for three weeks, when they were to give a precise and peremptory reply to his requisition, and to produce any documents, if they had them, to prove his claim to the paramountcy to be baseless. In the meantime, on May 31st, Edward issued a letter to the effect that the meeting at Norham on English ground should not act to the prejudice of Scotland, or be taken as a precedent.[1] On June 2nd, a meeting was held in a green field in the open air (*in area viridi sub divo*), at Upsetlington, on the north bank of the Tweed, immediately opposite Norham, within the kingdom of Scotland. In addition to the

[1] *Rot. Lit. Claus.* 19 Edw. I. m. 7 dorso. Rymer's *Foedera*, vol. ii. p. 525.

[2] A full account of all the proceedings in the case of the competitors, with the evidence and arguments adduced in favour of their claims, at the meetings held at Norham, Upsetlington, and Berwick, together with the names of those present at the sittings, will be found in Rymer's *Foedera*, ed. 1705, vol. ii. p. 542 *et seq.* It is contained in a public instrument drawn up by Master John de Cadamo, notary.

[3] *Foedera*, vol. ii. p. 528.

bishops, prelates, earls, barons, magnates, nobles, and commons of Scotland, nine of the competitors were present, in person or by proxy, John Baliol, through Sir Thomas Randulf, his knight, excusing himself on the pretext that he had mistaken the day. After Robert Burnel, bishop of Bath and Wells, chancellor of England, had protested Edward's supremacy, he declared, in the king's name, that in virtue of that power the king would judge in whom the succession to the Crown of Scotland was vested. The claimants were then called upon to answer if they admitted the supremacy of Edward and would abide by his decision. It was put first to Robert Brus, who gave his assent without reserve, and then to the others, who answered in the same way, John Baliol giving the same pledge the day following, June 3rd.[1] On June 4th it was agreed that, up to the time of the decision and for the two months following, Edward should be seised of the kingdom and castles of Scotland. After other meetings had been held, on June 12th, 1291,[2] the regents of Scotland, the competitors and others, prelates, nobles, and the *communitas* of the kingdom, assembled in the same grass field at Upsetlington, and after the seal of the regency had been handed to Alan, bishop of Caithness, then constituted by Edward chancellor of Scotland, they crossed over to Norham castle to learn Edward's will. The king ordained that on the next day, at the place beyond the river within the kingdom of Scotland, where they had first met, the regents of the kingdom, the competitors, and all the bishops, prelates, earls, barons, magnates, nobles, and the communities of cities, castles, boroughs, and towns, should again assemble and then swear fealty to him as over and supreme lord of the kingdom of Scotland (*ut superiori et directo domino regni Scotiae*), and that he would after that have his peace publicly proclaimed. The next day, June 13th, after this had been done, Edward handed over the custody of the kingdom to the old regents, William Fraser, bishop of St. Andrews, Sir John Comyn of Badenoch, Robert, bishop of Glasgow, and James, senescall of Scotland, adding a fifth, an Englishman, Brian Fitzalan.[3] At the same time, after the king's peace as superior lord of the kingdom of Scotland had been proclaimed, the next meeting was fixed to be held on August 2nd at Berwick, when the claims of the competitors would be examined. The deliberations of the assembly of the Scottish lords and commons were to be assisted by twenty-four Englishmen appointed by

[1] *Foedera*, vol. ii. pp. 545-549. [2] *Ibid.* p. 557. [3] *Ibid.* p. 558.

Edward, forty chosen by Bruce and forty by Baliol, a body which had previously, on June 5th, been constituted a court of advice.[1] After more than one adjournment, the court, after the case had been very fully argued on the part of the claimants, decided in favour of Baliol, and on November 17th, 1292, the English king, in the hall of the castle of Berwick-upon-Tweed, confirmed the decision, and gave authoritative judgment in full parliament, in the presence of the commissioners and other great civil and ecclesiastical personages of England and Scotland.[2] On the 19th, the regents gave seisin to John de Baliol of the kingdom of Scotland, and the seal they had previously used was broken.[3] The next day Baliol swore allegiance to Edward in the castle at Norham,[4] and was crowned at Scone on November 30th, St. Andrew's day,[5] doing homage on December 26th to Edward at Newcastle.[6]

It has been believed that Edward's decision in favour of Baliol was influenced by Antony Bek,[7] bishop of Durham, and the earl of Warren and Surrey. They were certainly both of them in Scotland and in communication with the regent, Bishop William Fraser, when the death of the Princess Margaret was reported and then denied, and in conjunction with him they took steps to ascertain if it was true. It was Bishop Fraser who had written to Edward, October 7th, 1290, when the death of Margaret was uncertain, telling him of the disturbed condition of the country, and how desirable it would be, were she to die, that Edward should be in Scotland. Both the two English lords were naturally favourable to Baliol; the earl of Warren was his father-in-law, and Bek, in whose see two of his baronies were situated, had not long before received from Baliol a grant of Neasham and Long Newton, valuable members of the barony of Gainford. The court held that Baliol, as descended from the elder daughter, though more remotely, had a better right than Bruce, who, though nearer in degree by one descent, was the son of the second daughter and co-heir. It can scarcely be doubted that the decision of the commissioners was a just one, and that the grounds upon which they based it were correct in law, and also in accordance with the natural order of regal descent.

[1] *Foedera*, vol. ii. p. 558. [2] *Ibid.* p. 589. [3] *Ibid.* pp. 590, 591. [4] *Ibid.* p. 591.
[5] *Rot. Scociae*, vol. i. p. 11; *Doc. and Rec.* p. 141.
[6] Chapter House Westminster; Scots Doc. Box. 3 n. 51; *Foedera*, vol. ii. p. 593.
[7] *Reg. Pal. Dunelm.* Rolls Series, vol. ii. 799.

Among the incidents which occurred during the course of the investigation into the claims made by the competitors, there is one which may be thought to indicate that it was not the intention of Edward at that time to lay a plan for the absorption of Scotland into his kingdom. John de Hastings, in prosecuting his claim, argued that, Scotland being held in chief from the crown of England, was, under the common law, divisible into three parts, and that he was therefore entitled to inherit one-third of the kingdom. Edward acting in accordance with the answer made by the council to his question, whether the kingdom of Scotland was divisible or not, decreed that it was not divisible but was one. It would apparently have been favourable to his scheme, supposing such to have existed, to have had Scotland parcelled out into three kingdoms, rather than to be united into one, and this procedure of Edward may perhaps be considered as a testimony to his good faith in the many professions of a disinterested policy which he made.

There was one element in the transactions which accompanied the accession of John de Baliol which bore within it the seeds of difficulty and disaster. The acknowledgment of the paramountcy of the English king by the Scottish lords and the competitors might be a needful admission for the present emergency, but it was one which, in the future, was certain to breed discord and opposition. To be ruled by a king who admitted he was the vassal, for it amounted to that, of a neighbouring king must have been intolerable to a proud nation like that of the Scots, and to the king himself, though in the interests of his case he had bound himself to it, almost unbearable. The seed thus unhappily sown soon bore fruit. The history of the transaction, and everything in connection with it, shows that Edward's intention, however it might be veiled, was to become virtually the ruler of the kingdom, with probably the ulterior purpose of annexing Scotland to his dominions; at all events he showed himself prepared to make use of anything that took place which might be so managed as to further such an object.

Very shortly after John de Baliol was crowned, a transaction occurred which gave Edward an opportunity of infringing the just rights of an independent state. A suit had been undertaken by Margery Moyne, wife of Walter de Thorntone, against Master Roger Bartholomew, a burgess of Berwick. The pleas concerning the case had been heard before the regents of Scotland, on October 18th, 1291, at Edinburgh, and pleadings in two

other suits against the same person were heard on October 22nd. A decision was given against Bartholomew in all the three suits. On December 22nd, 1292, he appealed at Newcastle to Edward, as superior lord of the kingdom of Scotland, against the decision of the Scottish court. After some discussion before the king's council about the right of appeal, on December 31st Edward declared, *vivâ voce* in French, that, notwithstanding all his previous promises, concessions, ratifications, letters, or instruments, he would hear complaints and other matters coming from the kingdom of Scotland, and give judgment upon them. And, going still further, he said that, if necessary, he would summon the king of Scotland himself to appear before him in his realm of England.[1] To this John de Baliol assented, and by a writing dated January 2nd, 1293, released Edward from all agreements, promises, and obligations made to the guardians and good people of Scotland, making special mention of the agreement of Northampton, August 28th, 1290, and fully recognizing his supremacy over the kingdom of Scotland.[2] This submission of Baliol had its reward on the 5th of the same month, when Edward issued an order to give John de Baliol, king of Scotland, seisin of the kingdom of Man, as Alexander, the last king of Scotland, whose heir he was, had held it.[3]

However galling the proceedings in the case of Bartholomew may have been to the king of Scotland, they were soon to be followed by an act on the part of Edward which must have been beyond endurance. On March 25th, 1293, a citation was issued by him in which he calls himself *superior dominus regni Scotiae*, ordering Baliol to attend before him on May 25th, wherever Edward might chance to be in England, to answer a complaint laid against him by Macduff, son of Malcolm, late earl of Fife, for not having done him justice.[4] On June 15th he was again cited by Edward, on an appeal of Austrica, cousin and heir of the late king of Man, to appear before him as the superior lord of the kingdom of Scotland, to answer her charge against him, and to do towards her what was right.[5] Baliol did not appear in May to answer in the case of Macduff, and was ordered by Edward to attend on October 14th. On this occasion he obeyed the summons and made his appearance in court before Edward, when he displayed much manly courage and acted with a spirit befitting his dignity as

[1] *Foedera*, vol. ii. p. 597. [2] *Ibid.* [3] *Ibid.* p. 603. [4] *Ibid.* p. 686. [5] *Ibid* p. 688.
The whole proceedings in these cases are given at length in Ryley, *Placita Parlementaria*, p. 145 *seq.*

a man and his position as king. When required to answer to the complaint of Macduff, he replied that he was king of Scotland and did not dare to answer to that complaint or to any other matter pertaining to his kingdom without the advice of the good men of his realm. When Edward told him he was his liege man and had done homage and fealty to him for his kingdom, and was then present in obedience to his command, Baliol returned the same answer as he had made before ;[1] he was ultimately judged to be contumacious, and it was ordered that three of the principal castles in Scotland, with the towns in which they were situated, and the regal jurisdiction in them, should be seized into the hand of Edward and be retained until Baliol had given satisfaction. Baliol petitioned the king that the judgment might not be made public until he had had the advice of his people, to which Edward consented, agreeing to take no further steps before June 14th, 1294. On May 3rd, 1293, Edward had ordered Thomas de Normanvill, escheator beyond Trent, who had taken an inquisition about the lands and heirship, to give John de Baliol seisin of the lands in Tyndale held lately by Alexander, king of Scotland, of the king in chief by homage. It was to be deferred until Baliol had done homage, which he was to do on or before the quinzane of St. Michael next following.[2] On the 29th of October, the king, having meanwhile taken the homage of Baliol for the land of Tyndale, the manors of Soureby and Penreth, held before by Alexander, and for his portion of the honour of Huntingdon, the escheator beyond Trent was ordered to give seisin of the land in his jurisdiction, and the escheator within Trent of Baliol's part of the honour of Huntingdon.[3] On December 3rd, it having been found that the hamlets of Langwathby, Salkild, Karlaton and Scotteby were appendages of the manors of Soureby and Penreth, the escheator was ordered to give Baliol seisin as soon as he had given surety for the payment of his relief.[4]

Baliol did not remain long in possession of these valuable estates. By a charter dated at the New Temple, London, June 20th, 1294, he granted to the church of St. Cuthbert and Anthony Bek, bishop of Durham, fifty librates of land within his liberty of Werk in Tyndale, wherever the bishop or his bailiff might choose, except only in the vill of Werk and

[1] Ryley, *Placita Parlementaria*, pp. 158, 159.
[2] Rymer's *Foedera*, vol. ii. p. 616; *Rot. Lit. Claus.* 21 Edw. I. m. 9.
[3] *Rot. Lit. Claus.* 21 Edw. I. m. 2.
[4] *Rot. Finium*, 22 Edw. I. m. 22.

the capital messuage there. He also gave him the advowson of the church Symundeburn, with its chapels. The whole were to be held in free alms. The charter was sealed with his privy seal, his great seal not being at hand.[1] At the same place, on the same day, Baliol granted to Bishop Bek for life, the manors of Penreth, Scotteby, Karlaton, Langwathby, Salkilde, and Soureby, with all the liberties Baliol or his ancestors had held in the said manors or elsewhere in Cumberland. The whole was to revert to Baliol after Bek's death.[2] The transfer of all the lands he had by inheritance from the kings of Scotland was completed by a grant in free alms, made to Bishop Bek and his church of Durham at Stirling, July 3rd, 1295, of the manor of Werke in Tyndale, with all the lands held there by him and his ancestors, together with the advowson of the churches in Tyndale belonging to John Baliol and his heirs.[3]

It is difficult to understand why Baliol should have made such large and important gifts to Bishop Bek, though there are two circumstances in their relationship which may suggest an explanation of Baliol's action. Bek is said, as has been already mentioned, to have exercised influence with King Edward in favour of Baliol when he was candidate for the throne of Scotland. It is true that before then Baliol had made over to the bishop the estates of Neasham and Long Newton, but there may have been an understanding that there was to be a further recompense when Baliol came into possession of the lands his predecessors, kings of Scotland, had held in the two northern counties. The gift may also have been made by way of compromise for the injuries which Bek alleged that he sustained in respect of the vills of Berwick and Hadington.[4] Some light is thrown upon the affair by a document among the Papal Records at Rome.[5] On July 11th, 1297, Pope Boniface VIII. ratified a grant by

[1] *Rot. Cart.* 22 Edw. I. m. 1. Baliol's grant is contained in an inspeximus of Edward I., dated June 25th, 1294.

[2] *Rot. Lit. Claus.* 22 Edw. I. m. 3.

[3] *Rot. Lit. Pat.* 25 Edw. I. pt. i. m. 16. The grant is contained in an inspeximus of Baliol's letters patent, by Edward I., dated February 8th, 1297. On September 20th, 1296, King Edward, then at Bamburgh, issued a writ to the sheriff of Northumberland and the bailiff of Tyndale, ordering them to deliver to Bek the manor of Werke in Tyndale and all other lands which John, late king of Scotland, had granted by charter to the bishop, and which, by reason of the war with Scotland, were then in the king's hands. *Rot. Lit. Claus.* 24 Edw. I. m. 4.

[4] The sheriff of Northumberland was ordered, April 22nd, 1294, to present to John Baliol in person a citation from King Edward to appear and make answer to these charges. Rymer's *Foedera*, vol. ii. p. 632.

[5] *Cal. of Papal Registers*, Rolls Series, vol. i. p. 573.

John, king of Scotland, to Bishop Bek, some of whose possessions had been taken by John Baliol and his ancestors, of the church of Simondoborne, the advowson of which the said king of Scotland had given as recompense, together with certain lands. There had been a long continued feud between the Baliols and the bishops of Durham about the homage of Gainford and other matters, a condition of things not likely to be modified when the see of Durham was in the hands of a prelate with the temper and pretensions of Antony Bek.

At a parliament held in London in May, 1294, where Baliol was present, it is said he offered to give the income of his English estates to Edward for three years towards the cost of the war with France.[1] On June 29th, Edward required and asked by his faith and homage that Baliol would send him a body of his men, with horses and arms, properly equipped and ready to pass over sea with the king for service in Gascony.[2] On his return to Scotland Baliol soon came into open conflict with Edward, whose demand for troops to aid in the war in France was evaded. Going still further in opposition to the English king, in a parliament held at Scone, it was ordered that all the English who were in attendance upon Baliol should be dismissed, and at the same time all the lands held by Englishmen in Scotland were declared to be forfeited.

The action of Baliol and his parliament was met by an order from Edward, dated October 16th, 1295, to the sheriffs of all the English counties, directing them to take into their hands the lands, goods, and chattels, of John the king of Scotland, and those of all other Scotsmen who had lands or other possessions in their several counties.[3] On the same day Edward notified that the king of Scotland by his command had delivered to John, bishop of Carlisle, the castles and towns of Berwick-on-Tweed, Roxburgh, and Jedburgh for the security of the king of England, and of his kingdom. He undertook that this arrangement should only continue as long as the war lasted between himself and the king of France, and that when it was ended the castles should be delivered up to the king of Scotland.[4] This was presently followed, February 13th, 1296, by another order that all the goods and chattels, except ploughs, oxen, and similar instruments of agriculture,

[1] In a grant of a great part of the lands lately belonging to John de Baliol and granted by King Edward to John of Brittany, a full account is given of their yearly value, which amounted to above £460. *Foedera*, vol. ii. p. 1029.

[2] *Foedera*, vol. ii. p. 642. [3] *Rot. Fin.* 23 Edw. I. m. 3. [4] *Foedera*, vol. ii. p. 692.

of Scotsmen found on their English estates should be at once sold and the proceeds paid into the king's exchequer.[1] On April 27th, still another writ was issued to the same sheriffs, ordering that no Scotsman nor any one else in his place, should remain upon the lands of Scotsmen in England.[2] As a result of this writ a minute and valuable return was made of these lands. A later account made in 1300-1301, adds the value of such estates held in Northumberland.[3]

The next year Baliol proceeded still further in his resistance to England, making an alliance with Philip, king of France. One of the terms of the agreement ratified in Paris, October 23rd, 1295,[4] provided that if either of the parties was attacked by Edward, mutual assistance should be given. The French king at the same time gave his assent to the marriage of his niece, Isabel, daughter of Charles de Valois, with Edward Baliol, John's son, which, however, was never carried out.[5] The effect of the agreement with France was not long in being brought to an issue. In 1296, Edward having invaded Gascony, in virtue of the compact, the pope meanwhile having delivered Baliol from the obligation of his oath of fealty, a large army, headed by John Comyn, earl of Buchan, at the end of March entered Cumberland and attempted, but without success, to take Carlisle. A little later, in April, they entered Northumberland, burning and devastating as they went. Among other places they burnt the nunnery of Lambley, and the church of their patron saint, Andrew, at Hexham, where the nave has ever since remained a ruin, burning, too, the school at the same time, with the scholars within it.[6] Before the end of March, very shortly after the Scots had made their incursion into England, Edward, at the head of a more powerful force than theirs, entered the eastern border and took Berwick by storm on the 30th of the same month.

While Edward was at Berwick on April 5th, 1296, a letter was presented to him by Henry, abbot of Arbroath, on the part of the king of Scotland. In it Baliol complained, in strong and dignified language, that he and his

[1] Q. R. *Memoranda Roll*, Record Office 24 Edw. I. m. 12 ; *Rot. Lit. Claus.* 24 Edw. I. m. 10.

[2] Q. R. *Ancient Misc.* Sheriff's accounts, bundle 'i,' 694.

[3] *Rot. Pipae* (lands of Scots in Northumberland), 29 Edw. I. rot. 47 dorso, rot. 48.

[4] *Foedera*, vol. ii. p. 695.

[5] The dower which Isabel de Valois was to have from John Baliol was settled upon the seignories of Bailleul, Dompierre, Hornoy and Hélicourt, in France, and upon all his seignories in Scotland.

[6] *Chronicon de Lanercost*, Maitland Club, pp. 174 *et seq.*

country had incurred grave and intolerable injuries and enormous losses by the violent force of the English, with the connivance of Edward, or anyhow with his knowledge, against the king's liberties and those of Scotland, and against God and justice. He enumerated many and various instances of tyranny, oppression, and insult, and declared he had been unable to obtain any remedy or redress for them, though, through his agent, that had been often asked for. He further stated that Edward had assembled a large army, which had already committed many inhuman massacres and burnings, and that not being willing any longer to endure these unjust aggressions against himself and his kingdom, he renounced his fealty and homage, extorted from him, as he said, by violence.[1] Edward's answer was curt and forewarning. 'Ha!' said he, 'the mad rascal, what a fool he makes of himself! if he will not come to us we will go to him.'[2] The action that followed was prompt, after the manner of the English king. On April 26th, the earl of Warren and Surrey defeated the Scottish army at Dunbar, the castle being made over the next day to Edward. In May, Jedburgh and Roxburgh surrendered, and in June, Edward himself took Edinburgh castle; Stirling, Perth, and Scone were given up without a contest. On July 2nd, so low had the fortunes of Baliol fallen, that he sent a letter dated from Kincardine to all concerned, acknowledging that through evil and false counsel and his own simpleness he had grievously provoked and offended his lord, King Edward. He admitted his various transgressions in making a treaty with France, the enemy of England, in contracting his son in marriage to the niece of the French king, in invading England, and in otherwise resisting Edward, and in his own full power and of his own freewill resigned to Edward the country of Scotland, its people and their homage.[3] The crisis came soon; on the 10th of the same month, at Brechin, acting on the counsel of John Comyn, lord of Strathbolgi, Baliol resigned the kingdom to Antony Bek, bishop of Durham, acting on the part of Edward. Apparently on the same day, at Montrose, he handed to Edward a white wand in token that he gave up his fee into his hands, the usual feudal observance in such a case.

Such was the end of John Baliol's short and ill-starred reign. It was commenced under conditions which gave but little promise of permanency.

[1] *Foedera*, vol. ii. p. 707; *Cal. of Doc. Relating to Scotland*, ii. 167; from bundle in Tower Chapter House (Scots. Doc.), box 2, No. 8.

[2] 'Ha! ce fol felon, tel folie feict! S'il ne voult venir à nous nous viendrons à lui.'

[3] *Foedera*, vol. ii. p. 718.

The distracted state of the country, with its many elements of disturbance, not alone in the rivalry of claimants to the throne which was not set at rest by Baliol's accession, but also in the jealousy and scheming of the nobles and others in power, demanded a stronger and harder man than John Baliol to control and rule it. Nor were the difficulties made less by the designs and intrigues of Edward to compass the design upon which he had set his heart.

It was a melancholy end to hopes and ambitions which never had a fair prospect of being fulfilled, and the discrowned king must often have looked back with sad regret to the days when he played, a schoolboy, on the green between the two great houses of the bishop and prior at Durham, or when he looked from the towering walls of Castle Barnard over the rich and pleasant valley, the ancient inheritance of his house, or when in the more peaceful retirement of Bywell he wandered by the woods and waters of Tyne.

Edward, after the submission of Baliol, continued his progress to Elgin, returning on August 22nd to Berwick, and bringing with him, among other national relics, the fatal stone from Scone which is now a part of the coronation chair at Westminster abbey. John Baliol and his son Edward were taken as prisoners to Hertford and afterwards to the Tower, where they remained until July 18th, 1299, when, by the intervention of the pope and the king of France, John Baliol was released. He ultimately, after a short residence in his lordship of Galloway, which it seems was not forfeited, made his home at Bailleul-en-Vimeu or Hélicourt, ancient inheritances of his house.[1] From Bailleul he made, on November 23rd, 1302, an appeal 'a très excellent prince, nostre très chier seigneur et bon ami et nostre espérance emprès Dieu,' the king of France, asking Philip to aid him in their common grievances against the king of England.[2] He was living March 4th, 1314, when, as 'Jehans par la grâce de Dieu Roys d'Ecosse et Sire de Bailleul-en-Vimmeu,' he wrote a letter[3] to all concerned, complaining of the trespasses and other injuries he and his men had suffered at the hands of the seneschals of Ponthieu in respect of his land at

[1] In the wood of Bailleul-en-Vimeu large grass grown mounds and ditches exist on the site of the ancient residence of the Baliols; at Hélicourt the similar remains of a large castle, on the banks of the Bresle, represent the important fortress of a great estate, which, in addition to others, made the house of Baliol one of the most powerful in the district.

[2] Rymer's *Foedera*, Record Series (1816), vol. i. p. 946.

[3] *Bibl. Nat.* Paris. Archives Nat. T 633, No. 5, Dom Grenier, No. 298, pièce 99, fol. 114.

Hélicourt in Vimeu, a fief he held of Edward II. as Comte de Ponthieu. To the last he claimed the kingdom of Scotland, but he does not appear to have taken any active measures for its recovery. The time of his death and its place, as well as that of his burial, are uncertain, but he appears to have died in October or November, 1314.[1] He married Isabel, daughter of John de Warren, earl of Surrey, before February 7th, 1280-1, and left Edward heir to his estates in France, the others having been forfeited.

The memory of John Baliol has been so covered with obloquy in Scotland that an impression of his character has been created which scarcely does him justice. So far was this carried that when John Stewart, earl of Carrick, became king, his name was changed to Robert. His very misfortunes and want of success have been taken as proofs of his incompetence, nor perhaps is the inference drawn from them quite incorrect. The charge of treachery against Scotland, if it can justly be made, must be shared with the other competitors to the throne and with the greater part of the magnates of the country, including the high ecclesiastics. He does not appear to have had the warlike qualifications of many of his ancestors, and the peaceful attributes he possessed were little likely to find favour with a rude, treacherous and cruel body such as were the Scottish nobles at that time. The charge of cowardice has been brought against him, but though he did not exhibit the qualities of bravery so strongly, though so differently, manifested in Bruce and Wallace, the popular heroes of the day, he showed no signs of want of spirit, and his final submission was only made when resistance would have been criminal and useless. It will not be an unjust estimate of him to say that by natural gifts and disposition he was but ill-fitted for the position he occupied, especially when the character and circumstances of the time are taken into consideration. It is possible that under other conditions he might have taken the same honourable place in history as was so well filled by his father before him.

As king of Scotland John de Baliol had a great seal and a coinage. The seal is similar to that of his predecessor Alexander III., with a different legend. On one side the king is represented seated on his throne, on the

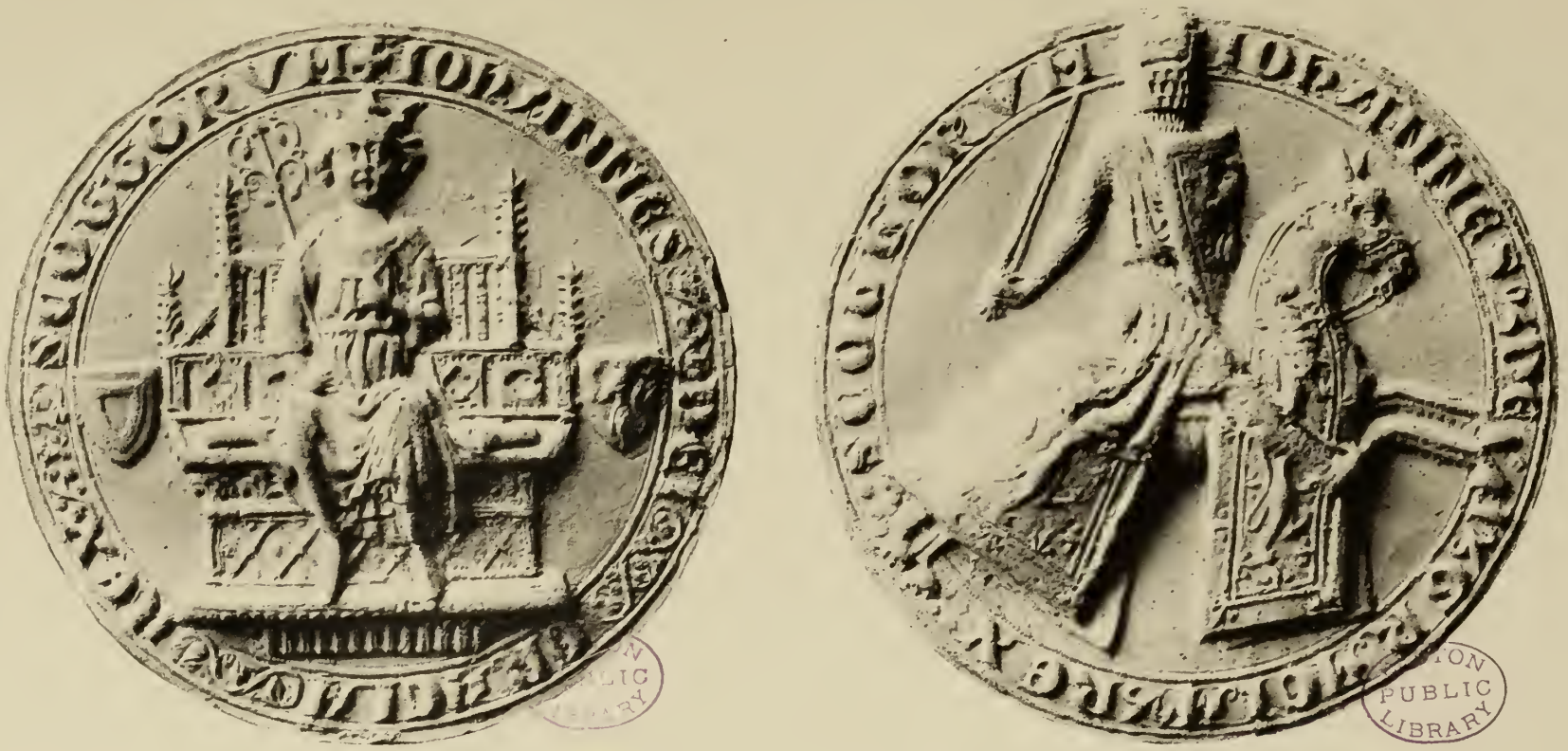
[1] It has been stated, but without any authority, that John Baliol died, blind, at the well-known Chateau Gaillard. In *L'Art de verifier les dates*, vol. i. p. 844, the writer says that in the church of St. Waast (Vedast) at Bailleul-sur-Eaune, in the department of Seine Inférieure, there was a monument with an inscription to his memory. The monument no longer exists, but to judge from the coat of arms upon it, and the name Joanne, of the wife of the Bailleul in whose memory it was erected, it is certain it has no connection with the king of Scotland.

other as a knight, armed and mounted on horseback.[1] His coins consist of silver pennies and half-pennies. On the obverse is the crowned head of the king in profile, with the inscription, IOHANNES DEI GRA. Reverse : a cross dividing the surface into four quarters, in each of which is a mullet. On the half-penny two quarters only have the mullet. In each coin the reverse has the inscription, REX SCOTORVM.[2]

His eldest son, Edward, succeeded him in 1314, but apparently only to the fiefs in Normandy, and to a doubtful and undesirable inheritance of the heirship to the crown of Scotland. Edward Baliol had no connection with Northumberland, but the account of the family would be incomplete without some notice of the life of the last representative of the Bywell line of Baliol being included.

He was not released from confinement at the same time as his father, but was kept at first in the custody of his grandfather John, earl of Warren, and after his death in that of his son. He was taken from his custody in 1310, and placed under the charge of Thomas and Edmund, the king's brothers. In 1315, the year after his father's death, he was permitted to go to France, under a pledge to return if he was required to do so. He appears to have usually resided on his estates in Picardy, until he allowed himself to be made an instrument in the schemes of Edward II. and his son Edward III. to bring Scotland under the rule of the English crown. He was invited to England in 1324, and again in 1327, by Edward III. in furtherance of his designs, but it was not until after the death of Robert Bruce, in 1329, that serious steps were taken by Edward to make use of Baliol. He was brought to England in 1330, and, in 1332, he sailed from Ravenspur, on the coast of Holderness, in command of a small body of English troops, in company with many of the nobles who had been deprived of their estates in Scotland by Robert Bruce. He landed at Kinghorn, in Fife, August 6th, 1332, at a time when the death of Thomas Ranulph, earl of Moray, the regent of Scotland, made his chance of success more favourable. The regent had died on July 20th when advancing northwards at the head of an army to repel the invasion. For a time Edward Baliol was successful, totally defeating the Scottish army, under the command of Donald, earl of Mar, who was killed in the battle, on August 12th, at Dupplin. The next day Baliol occupied Perth, and, on the 24th of September, he was crowned king

[1] Laing, *Scottish Seals*, vol. i. p. 6, Nos. 19, 20. [2] Burns' *Coinage of Scotland*, 1887, vol. iii. plates xvii. xviii.



SEAL OF JOHN DE BALIOL, KING OF SCOTLAND

GREAT SEAL OF JOHN DE BALIOL, KING OF SCOTLAND. OBVERSE AND REVERSE. RECORD OFFICE, LONDON; DESCRIBED IN THE PRESENT WORK, PAGE 64.
A GOOD IMPRESSION IS PRESERVED IN THE TREASURY OF THE CATHEDRAL, DURHAM. MISC. CHART. No 686.

of Scotland, at Scone. This apparently prosperous state of affairs was not, however, to last for long, though on November 23rd he joined Edward III. at Roxburgh. He there bound himself to the English king, admitting his supremacy over Scotland, and agreed to hand over Berwick to him, and to marry the Princess Johanna. On December 16th he was completely defeated by Archibald Douglas at Annan, his brother Henry was killed, and he himself fled, 'one leg booted and the other naked,' beyond the border into England. In March of the succeeding year he returned to Scotland, and laid siege to Berwick, when Edward, having routed the Scots under Archibald Douglas on July 19th, 1333, at Halidon Hill, Berwick was surrendered. At a parliament held at Edinburgh in February, 1334, Baliol again bound himself to Edward, and Berwick was delivered over to England. Shortly after, at Newcastle-upon-Tyne, he alienated an extensive and rich tract of country in the south-east of Scotland, extending up to and including Edinburgh, constituting one of the fairest jewels in the Scottish crown, the ancient district of Lothian. But the loss of this important possession, severed from his kingdom, was exceeded a little later by the still greater loss of honour when he did homage to the English king for the kingdom of Scotland.

The differences which had broken out among the English barons, who had been of great service to Edward Baliol in his first campaign in 1332, revived the hopes of the adherents of David Bruce. Robert, the high steward of Scotland, afterwards king as Robert II., and John Ranulph, earl of Moray, were appointed regents. They attacked and took several castles and secured the allegiance of many of the nobles, including some of English descent. Meanwhile Baliol had retired into England to be again assisted by an English army headed by Edward III. in person. The severity of an early winter obliged them to retreat, but in July, 1335, Edward renewed the invasion of Scotland. For a time the two kings were successful, and at Perth, which, since the transfer of Edinburgh to England, had become the capital of Baliol's kingdom, they received the submission of many of the Scottish lords. This good fortune was not destined to continue, and, when the regents in 1339 invested Perth, Baliol was ordered by Edward to hand over the place to Sir Thomas Ughtred and to retire into England. This was practically the end of Edward Baliol's reign in Scotland, of which, however, he was still nominally the king. He was appointed by Edward, lieutenant of the

North, and in 1341 he defeated a raid made into England by David Bruce himself. Again in 1344 he repelled a similar invasion by David, but there is not any trustworthy authority for the report that he was present at the battle of Nevill's Cross, October 19th, 1346, fought close to Durham, when David Bruce was taken prisoner. After the battle the English crossed the border, when Baliol was in command of a large army of English and of his own men of Galloway. He advanced as far as Glasgow, devastating the Lothians in his progress north, and Annandale as he returned. From this time but little is known of him or his doings until the final act of the drama of his life as king took place. On January 21st, 1356, at Roxburgh, he surrendered the entire kingdom of Scotland into the hands of Edward III., giving him seisin by the deliverance of a portion of the soil and his golden crown. Edward had already undertaken to give him in hand a sum of 5,000 marcs and an annual payment of £2,000.

Edward Baliol had no coinage. As king of Scotland he had a great seal, similar, except in the legend, to those of his predecessors.[1] He had also a privy seal of good design and execution.[2] He outlived the loss of a kingdom, which had proved to be but an unstable and unhappy possession, for many years. It does not appear that, like his father, he lived upon any of the ancient possessions of his house in Picardy, one of the most important of which, the barony of Hélicourt, he granted to Edward III., king of England, by a deed dated May 27th, 1363, the seneschal of Ponthieu taking possession of it on June 6th of the same year. He died near Doncaster, it is said at Wheatley, in 1363, without issue. After his retirement he appears to have largely spent his time in following the chase, which he was able to enjoy through the goodwill of Edward, who gave him licence to sport in his forests, one of which, the great chace of Hatfield, lay almost at his door. He married Margaret, princess of Tarentum, who re-married Francis, duke of Andria.

His career was an unsuccessful one, but he was not deficient in boldness and skill; he fought with bravery and determination at Dupplin, and King Edward, who knew what a soldier should be, had a high opinion of his military qualities. In the position in which he was placed, with obligations to the king of England, and a turbulent and divided people to govern, it was impossible for any one except a man equally endowed with

[1] Laing, *Scottish Seals*, vol. i. p. 8, Nos. 30, 31. [2] *Ibid.* No. 32.

force and strength of character and will, and with the power of judicious management, to have steered a safe course among such troubled issues as then distracted Scotland. Edward Baliol did not possess these qualities. Like his father his disposition was amiable, one more suited to a quiet than to an active life, which attached his followers to him by personal kindness and consideration, but was unequal to control the unruly, crafty and savage people it was his misfortune to be called upon to rule. Though not wanting in bravery, he was not endowed with that form of courage which at the best can only be designated as brutal, nor was he unscrupulous or treacherous.

Bywell having remained in the hands of the Crown since the seizure of John Baliol's English estates on the 25th December, 1293,[1] was granted in 1299 to Edward I.'s nephew, John of Brittany,[2] 'the greatest subject in the kingdom of England,' in part satisfaction of the yearly fee of £1,000 which had been promised him.[3] The grant was confirmed on the 10th November, 1306,[4] and again in 1308-9.[5] John of Brittany received the king's pardon on the 8th October, 1305, for selling timber out of the Bywell woods, together with licence to sell £200 thereof for debts incurred in the king's service.[6] Alianor, widow of Alexander de Bailiol, and her second husband, Robert de Stutevill, being aggrieved by this licence, petitioned parliament to compel John of Brittany, who had become earl of Richmond, to pay her her thirds. She also retained the salmon fishery of Bywell and the acre of land which had been conveyed to her first husband and herself by Adam, son of Gilbert de Stocksfield.[7]

[1] In 1296, he resigned 'his person, his dignity, his kingdom, and all his private estates.' See Swinden, *Yarmouth*, p. 241.

[2] John of Brittany, earl of Richmond, was second son of John de Dreux, first duke of Brittany, by his wife Beatrix, second daughter of King Henry III. The lady Gray, daughter of John and Beatrix, was wife of Guy de Chastillon, earl of St. Pol, whose daughter and heiress, Mary, 'countess of St. Pol,' became third wife of Adomar de Valence, earl of Pembroke, who, being slain on the 27th June, 1323, left her, as it is stated, 'maid, wife, and widow' in one day. She survived him until March, 1377. Agnes de Valence, the widow of Hugh de Baliol, mentioned in the text, was one of the sisters of Adomar de Valence.

[3] Exchequer Q. R. Memoranda, 27 and 28 Edw. I. m. 2 ; *Cal. Doc. Rel. Scot.* ii. 280; *Cal. Pat. Rolls*, 27 Edw. I. p. 429.

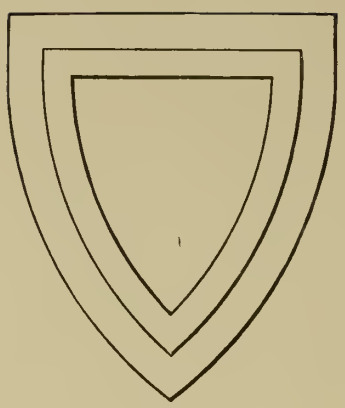
[4] *Cal. Pat. Rolls*, 32 Edw. I. m. 1, p. 470.

[5] *Cal. Rot. Chart.* 2 Edw. II. pt. i. No. 44, p. 141.

[6] *Cal. Pat. Rolls*, 33 Edw. I. pt. ii. m. 12, p. 381.

[7] *Rot. Parl.* i. 199.

BALIOL OF BAILLEUL-EN-VIMEU, BYWELL AND BARNARD CASTLE.†



ARMS: *Gules, an orle argent:* John de Ballioll MS. L. 14 *Coll. of Arms, circa* 1240-1245, printed by Nicholls, 1829. The arms of the Picardy house of Bailleul-en-Vimeu was *ermine, a shield, gules. Cf.* Belleval, p. 20.

GUY DE BALIOL = ...

*Hugh de Baliol, = ... 'sire de Bailleul-en-Vimeu' in the department of Somme; living in 1130, when he with his son Eustace subscribed the foundation charter of the abbey of Sery.

*Guy de Baliol, obtained Bywell = Dionisia . . . from William Rufus *circa* 1093; granted the churches of Gainford, Stokesley, and Stainton in the Street to St. Mary's Abbey, York; for the souls of Dionisia his wife, Bernard his nephew (*nepos*) etc. (*h*); living 1112.

Hawis, married William Bertram, baron of Mitford, and founder of the priory of Brinkburn.↓

* Joscelin de Baliol = ... * Hawis

* Ingelram de Baliol = ...

* Eustace de Baliol = Agnes Percy. * Agnes married William Percy.

*Ingelram de Baliol, died in 1299.

Eustace de Baliol, living 1130,* apparently dead before 1138.*

Bernard Baliol I., 'sire de Bailleul-en-Vimeu et Hêlicourt,' 1138, a baron of the bishopric of Durham, founder of Bernard Castle; confirmed the grant made by his uncle (*avunculus*) to St. Mary's Abbey (1132-1161) (*h*); and with the assent of his wife, his four sons, and his daughter, granted in 1138 to the church of Cluny, the altars of Dompierre, Bailleul, Tours, Ercourt, Ramburelles, and Allenay (*g*); gave lands at Newbiggin to Newminster (*e*); present at the battle of the Standard, Sept., 1135, and was taken prisoner at Lincoln in 1142; died before 1167; named in the Durham *Liber Vitae* (*a*).

= Matilda ..... her name and that of her husband are written in the Durham *Liber Vitae* (*a*).

Ralph Baliol, part of whose meadow, garden and orchard [? at Dompierre], his brother, Bernard, gave to the abbey of Cluny (*g*).

Joscelin de Baliol, brother of Bernard for whose soul his nephew gave pasturage in Teesdale to the abbot and convent of Rievaulx (*d*).

Guy and Hugh, stated to be brothers of Bernard I.

Ingelram Baliol, who, 1127-1144, assented to his father's grant to the abbot and convent of Cluny (*g*), and 1145-1153, to a similar grant to the Knights Templars; named in the Durham *Liber Vitae* (*a*).

Guy Baliol, about 1152, confirmed his father's grant of the church of Gainford to the abbot and convent of St. Mary's, York (*h*), and granted the mill of Ingleby to the abbot and convent of Whitby (*c*); named in the Durham *Liber Vitae* (*a*).

Eustace Baliol, who assented to his father's grant to the abbot and convent of Cluny (*g*); named in the Durham *Liber Vitae* (*a*).

Bernard Baliol II., baron of = the bishopric, lord of Bywell and Barnard Castle; assented to his father's grants to Cluny (*g*), and confirmed his grant to the abbot and convent of St. Mary's, York (*h*); granted a fishery on the Tees to the abbot and convent of Rievaulx for the soul of his father, Bernard (*d*); died before 1193; named in the Durham *Liber Vitae* (*a*).

Agnes de Picquigny (*d*), her name is written in the Durham *Liber Vitae* (*a*).

Atuidis, assented to her father's grant to Cluny (*g*).

Hawise, whose name is written in the Durham *Liber Vitae* (*a*), for whose soul her brother, Bernard de Baliol, confirmed the churches of Ingleby and Kirkby to the abbot and convent of Whitby (*c*).

*Hugh, married N. . . . daughter of Aléaume de Fontaines before 1210.

*Bernard, living 1212.

*Enguarran, living 1215.

*Henry = Baliol ↓

*Laura de Valoignes.

*Enor married Hugh de Fontaines.

A

A

..... = Eustace Baliol, lord of Bywell and Barnard Castle; granted the church of Bywell St. Peter to the prior and convent of Durham; confirmed the lands at Newbiggin to the abbot and convent of Newminster (*e*); died *circa* 1200; named in the Durham *Liber Vitae* (*a*). = Petronell, widow of Robert fitz-Piers, to marry whom he fined to the king in 1190.

Hugh Baliol lord of Bywell and Barnard Castle, confirmed, between 1193-1205, the advowson of Gainford, etc., to the abbey of St. Mary, at York (*h*); adhered to King John, 1212-1216; confirmed the churches of Ingleby and Kirkby to the abbot and convent of Whitby (*c*); died in 1228; named in the Durham *Liber Vitae* (*a*). = Cecilia de Fontaines, for whose soul her husband granted lands at Newsam to the abbot and convent of Rievaulx (*d*).

Ingelram Baliol, a witness to charters of his father and brother, Hugh; named in the Durham *Liber Vitae* (*a*).

Bernard Baliol, a baron by tenure, 1212-1245, a witness to his father's charters; named in the Durham *Liber Vitae* (*a*).

Henry Baliol, named in the Durham *Liber Vitae* (*a*).

John Baliol, lord of Bywell and Barnard Castle, *dives et potens*, 1228-1229, paid £150 for his relief: founder of Baliol College, Oxon.; died *circa* Oct. 1268; buried at Sweetheart abbey in Galloway; *Inq. p.m.* 53 Hen. III. No. 43. = Devorguil, daughter and ultimately sole heiress of Alan, lord of Galloway by his second wife, Margaret, dau. and (at length) co-heir of David, earl of Huntingdon, mar. 1233; died at Kempston, Bedfordshire, on the Sunday after 28th Jan., 1289/90; *Inq. p.m.* 18 Edw. I., No. 28.

Hugh Baliol, lord of Hélicourt,* living 1282.*

Ingelram, living 1st Oct., 1270.* Josceline, living 1255.

Bernard, priest of Gainford,* whose lands on Naintstanthirl were, at the Parliament at Stirling in 1293, given up to his nephew, John de Baliol, king of Scotland (*f*).

Eustace Baliol, 16th July, 1270, had letters of protection when about to set out for the Holy Land with Prince Edward; died 1272 (*h*).

= Hawise, dau. and heir of Ralph Levynton (*i*); also called the dau. of Ada, who was the wife of William de Furneval, and was 23 years old in 1270-1271 (*i*); *Inq. p.m.* 56 Hen. III., No. 35.

Ada, mar. John fitz Robert, lord of Warkworth, to whom she carried Stokesley as a dowry; she granted lands in Kirkby to Guisbrough (*j*); died at Stokesley 29th July, 1251; *Inq. p.m.* 35 Hen. III. No. 51 (*i*).

Hugh Baliol, lord of Bywell and Barnard Castle, was 28 years of age and upwards at the time of his father's death; died *s.p.*, *circa* 1271; the executors of his will were Hugh de Eure and Henry Spryng (*b*); *Inq. p.m.*, 56 Hen. III. No. 26. = Agnes, daughter of William de Valentia, earl of Pembroke, niece of Hen. III., and widow of Maurice Fitzgerald; she had assignment of dower, 55 Hen. III. (*i*); she re-married John de Avesnes, lord of Beaumont, and d. *circa* 3 Ed. II.

Alan Baliol, died *s.p.*

Alexander Baliol, succeeded his brother, Hugh, as lord of Bywell and Barnard Castle; died *s.p.*, 1278; *Inq. p.m.*, 6 Ed. I. No. 5; his executors were his widow, Ralph de Cotum, Hugh de Wodehall, and Hugh de Corbridge (*b*). = Eleanor de Genoure, who brought her husband in free marriage Mitford and Felton, by the gift of Queen Eleanor; she re-married Robert de Stuteville, and was living again a widow in 1306.

John Baliol, who was educated at Durham School, succeeded his brother, Alexander, as lord of Bywell and Barnard Castle; found heir to his mother, 1289/90, then age 40 (*i*); crowned king of Scotland at Scone, 30th Nov., 1292; did homage in the castle at Newcastle for the crown of Scotland, 26th Dec. following; his English estates were seized 25th Dec., 1293; resigned the Scottish crown, 10th July, 1296; was liv. at Bailleul, in Picardy, in 1302; died in exile, October, 1314. = Isabella, daughter of John, earl of Warren and Surrey; married 1279; apparently dead before 23rd Oct., 1295.

Edward Baliol, succeeded to his father's estates in Picardy; crowned king of Scotland at Scone, 24th September, 1332; surrendered his crown and realm, 20th Jan., 1355/6, and died at Wheatley, near Doncaster, in 1363. = Margaret, princess of Tarentum; re-married Francis, duke of Andria.

Henry Baliol, slain at Annan, 16th Dec., 1332.

Margaret, 'lady of Gillesland,' stated to have married ..... Multon, died *s.p.*

Ada,‡ married William de Lindsay (*i*). ↓

Cecily, married John de Burgh, grandson of Hubert, earl of Kent. ↓

Mary, married John Comyn of Badenoch.

† This pedigree of the main line of Baliol, omitting the cadets, is founded on the pedigree in Walbran *Gainford*, collated with the pedigree in Surtees' *Durham*, vol. iv. p. 59, and Mr. W. H. D. Longstaffe's notices in *Archaeologia Aeliana*, vol. iii. new series, p. 74. The descents marked,* none of which materially affect the transmission of Bywell, are taken from a monograph, *Jean de Bailleul roi d'Écosse et sire de Bailleul-en-Vimeu*, par René de Belleval, Paris, 1866.

‡ Ada Baliol and her husband William de Lindsay, had a daughter, Christian, who became wife of Ingelram, sire de Coucy, and her right to represent the royal house of Scotland descended through the family of St. Pol, and that of Bourbon to the late Comte de Chambord. *Cf.* Burke *Peerages Extinct and Dormant.*

(*a*) Durham *Liber Vitae*, pp. 98, 100, 103.
(*b*) *Northumberland Assize Rolls*, pp. 134, 262.
(*c*) *Whitby Chartulary*, vol. i. pp. 54, 55, 297.
(*d*) *Rievaulx Chartulary*, pp. 66, 67, 155, 221.
(*e*) *Newminster Chartulary*, pp. 244, 245.
(*f*) Rymer, *Foed.* vol. ii. p. 791.
(*g*) *Cal. Doc. in France*, vol. i. p. 513.
(*h*) Chartulary of St. Mary's, York, Walbran's *Gainford* appendix.
(*i*) *Calend. Genealogicum*, pp. 38, 138, 146, 147, 150, 157, 160, 226, 414, 772.
(*j*) *Guisbrough Chartulary*, II. p. 300.

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